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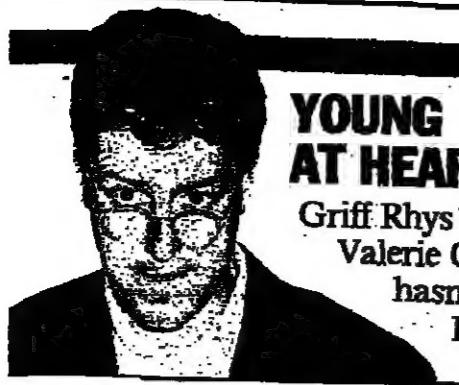
THE TIMES



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No. 65,751

TUESDAY DECEMBER 3 1996



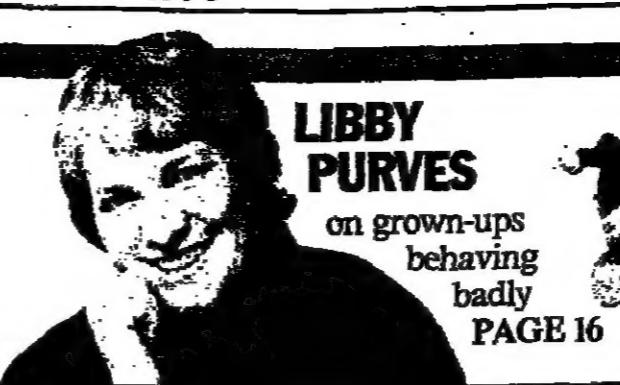
YOUNG AT HEART

Griff Rhys Jones tells Valerie Grove why he hasn't settled down
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PLAY THE £50,000 GAME

See how your players are performing
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LIBBY PURVES

on grown-ups behaving badly
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Fiancée witnessed car chase murder

Driver dies in 'road rage' stabbing

By STEPHEN FARRELL



Lee Harvey: stabbed then throat was cut

A YOUNG father has died after a passenger in a car he overtook stabbed him at least 15 times and slashed his throat at the end of a three-mile chase along unlit country lanes.

Lee Harvey, the fifth man to die this year as a result of road rage, was left bleeding from multiple wounds in the middle of the road as his attacker's car drove off. He died in the arms of his fiancée, who was slightly injured.

Detectives were last night looking for the shabby F-reg Ford Sierra that chased the couple between Burcot and Alvechurch in Hereford and Worcester, late on Sunday night. Detective Superintendent Ian Johnston said: "You could call it road rage, to us obviously it is murder."

Mr Harvey, 25, and his fiancée, Tracey Andrews, had been on their way home from an evening out in their white Escort RS2000 - when they overtook the Sierra along the A38 near the Forest public house. The other driver gave chase, flashing his lights, driving bumper to bumper, and exchanging obscene hand gestures with Mr Harvey.

The pursuit continued along unlit single track lanes until the Sierra overtook Mr Harvey, who either decided or was forced to stop in Coopers Hill, a few hundred yards from his home. As Miss Andrews looked on from the car, the two drivers argued, pointing their fingers and shouting.

The confrontation appeared

overweight white man aged about 25 who was wearing a dark donkey jacket. The slim driver looked much younger, was about 5ft 9ins to 5ft 10ins tall with short dark hair. Their car was thought to have left the road three-quarters of a mile further down the lane and would probably have a damaged front nearside.

Mr Harvey, a former bus driver, and Miss Andrews, 27, had been engaged for two years and shared a flat in Alvechurch with their two children from previous relationships - Mr Harvey's five-year-old daughter, Danielle, and Miss Andrews's daughter, Carla, who is six.

The killing is the latest in a series of road rage attacks and has marked similarities to the murder in May of Stephen Cameron, who was also stabbed and left bleeding to death in front of his fiancée. Mr Cameron was killed after he and the driver of a Land Rover Discovery got out of their vehicles to argue at traffic lights on the M25 sliproad at Swanley, Kent. Police are still seeking Kenneth Noye, who was cleared of murder after killing a policeman in the 1980s, in connection with the attack.

Other road rage victims include a cyclist who died after banging his head on the ground when a taxi driver swerved towards him. The taxi driver was last month jailed for 4½ years.

In May, a passenger was shot dead in London after the car he was travelling in did not stop after a minor accident, and in February, another passenger was beaten to death with a steering wheel lock in an argument about flashing headlights.

Other incidents have led to a doctor being jailed for pulling a starting pistol on a passenger in a dispute over a parking space, and another driver was jailed for five years after biting off another's nose and breaking the hip of a woman who tried to help.



Halifax holds mortgage rate

The Halifax, Britain's biggest building society, is resisting pressure to follow Abbey National and lift its loan rate.

Halifax is holding mortgage rates at 6.99 per cent in spite of the move by its biggest rival to lift loan rates by a quarter percentage point. Increases by the Coventry and the Northern Rock brought to five the lenders that have put up rates

Bullied clerk wins action

By ADRIAN LEE
AND FRANCES GIBB

LAWYERS predicted a surge of legal actions over bullying at work after a solicitor's clerk yesterday won a landmark private prosecution against his former employer.

The £200-a-week clerk, Joel Parkes, took out summonses against Robert Layton, a sole practitioner in Acton, after being sworn at and grabbed for failing to photocopy court papers. Layton was convicted of assault after Haringey magistrates in north London heard

that he went red with rage, shouted obscenities and struck Mr Parkes on the shoulder.

The solicitor now faces a Law Society investigation and possible disciplinary proceedings which could lead to him being struck off.

Mr Parkes, 36, brought the action after the Crown Prosecution Service decided not to press charges. Two witnesses working at the same firm declined to give statements to police. But Mr Parkes issued summonses and both were forced to give evidence.

Awarding £30 compensa-

tion and £785 costs to Mr Parkes, who is now studying to become a solicitor, magistrates rejected a claim by Layton's counsel, Anthony Aridge, QC, that it was a trivial incident that happens in offices "day in, day out".

Lawyers are predicting a rise in legal actions over bullying at work. Last week new research for the Institute of Personnel and Development showed that one in eight people had been bullied in the past five years. More than half of those said

(Continued on page 2, col 4)

More students struck by meningitis

TWO Southampton college students were diagnosed as having meningitis yesterday. They bring to eight the number of cases since November 16. Two more occurred in October. A York University student also has the disease.

Ann-Marie O'Connor, 19, from Acton, and Samantha Milroy, from Stockport, have died of the illness at the University of Wales, Cardiff.

Parents grieve. page 6



Moira Stuart dresses up the news in genes

By CAROL MIDGLEY
AND NIGEL HAWKES

THE BBC television presenter Moira Stuart yesterday became the latest celebrity newsreader to join the ranks of the so-called "great and good".

Ian Taylor, the Science Minister, announced she had been appointed as a "human face" to the Human Genetics Advisory Committee.

Last year Gillian Shephard, the Education Secretary, appointed ITN's Trevor McDonald as chairman of the newly

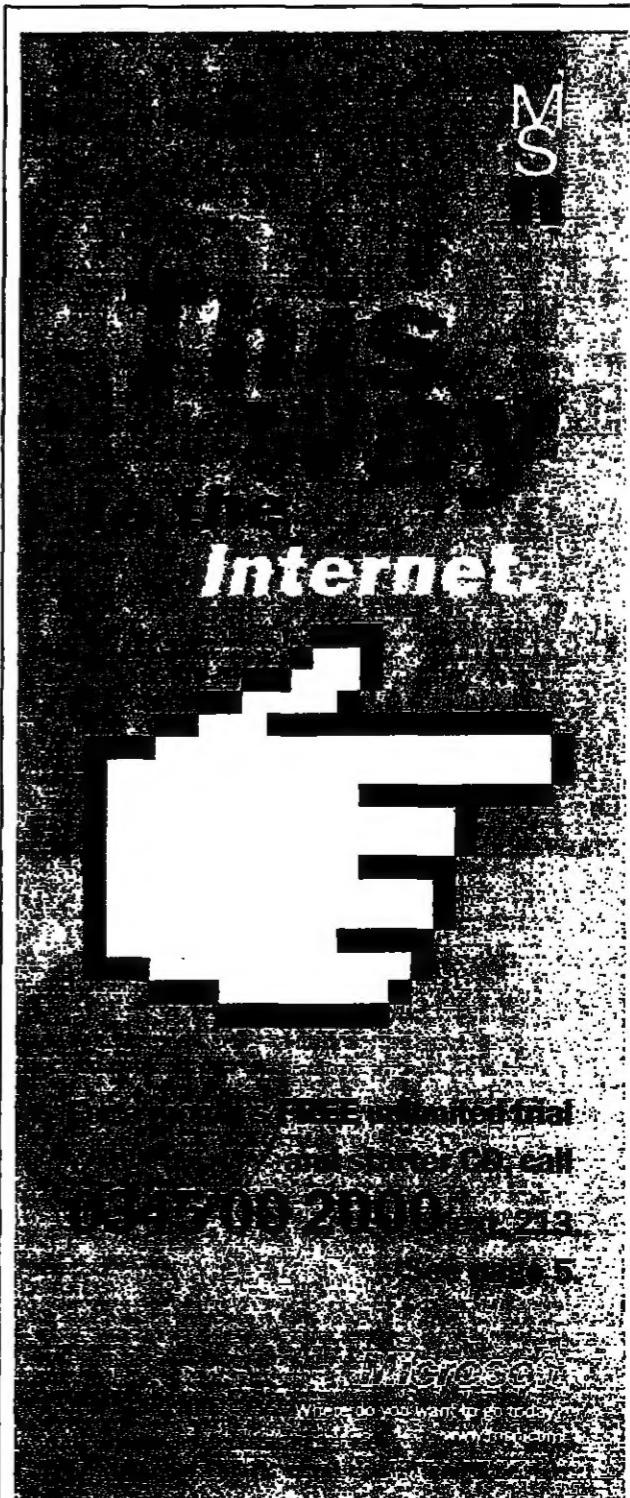
created Better English Campaign, a steering group with the serious aim of declaring war on sloppy standards. Nick Ross, a Radio 4 presenter and anchorman of BBC Television's *Crimewatch UK*, is now considered an authority on crime prevention. In 1993 he was invited on to the National Board for Crime Prevention and is an active member of the Crime Concern National Youth Campaign.

The Channel 4 News presenter Jon Snow combines his full-time job in television with chairing several charities. Nicholas Witchell, the BBC newsreader,

is involved with several charities, and Anna Ford is patron of the Turville Trust, an organisation set up to build a holiday centre for deprived children in Buckinghamshire.

But perhaps the busiest of the celebrity newreaders is the BBC's Martyn Lewis, who at the last count had put his name to no fewer than 17 charities.

The Human Genetics Advisory Commission will be chaired by Sir Colin Campbell, Vice-Chancellor of the University of Nottingham. Its first meeting is expected to be early in the new year.



The Times on the Internet
<http://www.the-times.co.uk>



Stuart: celebrity adviser

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Speaker spoils the fun after MP invokes insulting tradition

"CAN I ask our blond and blue-eyed — if not exactly Finnish — Secretary of State, with his balding and brown-faced junior minister...?" Rhodri Morgan got no further. "These personal remarks," protested Madam Speaker, "have no place in this chamber." She told Morgan to rephrase his question, avoiding unpleasant descriptions of the Welsh Secretary, William Hague, and the junior minister, Jonathan Evans.

But as personal remarks go, this windy, burbling, frizz-

haired, crag-faced sub-Patrick Moore of a Labour spokesman on Wales was mild at Welsh Questions yesterday. Contrast his gentle mockery with Mr Evans's predecessor as minister at the Welsh Office, Rod Richards (Clwyd NW). Speaking of Welsh Labour councillors, Mr Richards said: "They're all the same slimy, short, fat and fundamentally corrupt."

"When I hear that name," the Prime Minister is said to have remarked of Euro-rebel Sir Richard Body (C, Holland

with Boston) "I hear the sound of white coats clapping." The quip was not meant to be repeated, but that is a risk any politician runs. "I wish that cow would resign!" muttered the (then) Northern Ireland minister, Richard Needham (C, Wiltshire N) into his [insecure] mobile telephone. Margaret Thatcher took it well, observing only that if this was the worst they said, she could live with it.

Over the past year, I have been assembling a mountain of clippings recording the

things politicians come to wish they had never said. A fellow-mischief-maker called Phil Mason — a magpie of parliamentary archives — helped, and together we have compiled an anthology going back centuries.

The Baroness Thatcher comes out of any selection of *unwise personal remarks* with

dignity, the butt of much abuse, she herself was rarely personal. A personnel report, rejecting her for a job with ICI in 1948, noted: "This woman is headstrong, obstinate and dangerously self-opinionated." Some 40 years later, President Mitterrand said that she had "the eyes of Caligula and the lips of Marilyn Monroe". Calling her "empty-headed" on the Middle East, Jonathan Aitken explained: "She probably thinks the plural of sinus is Sinal." Aitken must now bitterly regret the bite Labour's Tony Banks, who accused her of "behaving with all the sensitivity of a starved boa constrictor" regretted little. Sir Edward Heath hardly needs replying (asked why Mrs Thatcher hated him so much): "I cannot say, I am not a doctor."

It is the prerogative of the great to be rude about each

other. Herr Kohl took with good humour a greeting from Bill Clinton at a Nato summit in 1994: "I was thinking of you last night, Helmut, because I was watching the sumo wrestling on TV."

Along with his "white cows" remark, Major doubtless regrets calling some of his Cabinet colleagues "bastards". I do not know whether Labour's Sam Galbraith (Stratkelvin & Bearsden), a brain surgeon, regards of the opinion he offered of his former colleague, the one-time MP for Leith, Ron

Brown (who had smashed up his former girlfriend's flat). There is nothing I can do for him professionally."

But then the Commons is a Lewis Carroll world, where different rules apply. I looked down yesterday as Mr Morgan was silenced by the Chair in mid-insult to Messrs Hague and Evans. All three men had been grinning happily. Miss Boothroyd was simply spoiling the fun.

Read *My Lips* is published by Robson Books.

Clarke

Continued from page 1 article in *The Times*, Mr Major said Britain should stay in the negotiations to defend its national interest and prevent the rest creating a failed EMU.

But the Downing Street sources said it would be wrong to read any differences into the April 5 and October 5 statements. They were both based on the likelihood that the time to make a decision about EMU entry would be after the election. An informed source said that reports to the contrary were "wishful thinking".

Mr Clarke was questioned about Mr Major's reported desire to ditch the wait-and-see policy when he arrived in Brussels. His response was uncompromising. "I don't believe that for one moment anything of that kind is being contemplated. It simply isn't going to happen."

But he pleased the sceptics by succeeding in Brussels in winning guarantees that rules of the euro and the stability pact would not apply to Britain outside a currency.

For once, Britain had little to do with the tension among EU ministers yesterday, as Theo Waigel, the German Finance Minister, flexed Bonn's monetary muscles, holding out against the wishes of all other states except The Netherlands, to allow a measure of political latitude in the stability pact. But by last night Germany was edging towards a compromise on the circumstances in which a government would be fined for spending too much.

Towns 'face invasion of giant lorries'

BY JONATHAN PRYNN, TRANSPORT CORRESPONDENT

A NEW generation of 44-tonne "super lorries" could be allowed unfettered access to the main-road network from 1999 under proposals released yesterday by the Government.

The current tight restrictions on the Continental-style six-axle juggernauts would be dropped between 1999 and 2001, according to a consultation document from the Department of Transport.

John Waits, the roads minister, said the move would take 6,500 smaller lorries off the roads as hauliers switched to the larger vehicles. The lorries can currently be used only for journeys between rail freight depots.

Mr Waits said that the six-axle trucks would cause no more damage to roads, bridges and buildings than 38-tonne lorries — the biggest currently allowed — because the load would be spread over six rather than five axles.

Environmental groups said the proposals spelt disaster for Britain's country towns and villages. Since the last increase in lorry weights — to 38 tonnes in 1983 — lorry mileage had increased by 30 per cent and freight mileage by 42 per cent, said Lynne Sloman, assistant director of Transport 2000. "All research suggests that heavier lorries are more dangerous and intrusive," she said.

Britain's largest rail freight company, English, Welsh &

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Joel Parkes, who won a private prosecution for bullying

Bosses face rise in bullying claims

Continued from page 1
bullying was commonplace at their workplace.

Melissa Compton-Edwards of the institute said: "Bullying behaviour typically consists of unfair and excessive treatment, publicly insulting the victim, ignoring their point of view and constantly changing or setting unrealistic targets."

Legal actions over bad

overwork — are being categorised as "stress" claims, and are likely to be brought in the civil courts.

Tania Stess, a solicitor with Davies Arnold Cooper, says there could be as many as 150 stress claims pending, although many may be settled out of court. They have been prompted by two rulings. In 1994, John Walker, a social worker, received £15,000 in settlement of his claim for a nervous breakdown caused by pressure of work. In 1995, Paul Pickering, a police officer, won an increased pension after proving he had been disabled by stress at work.

Jill Earnshaw, lecturer in employment law at the University of Manchester, says bullying claims are common in the United States. "Some may call these cases victimisation or persecution, but I would classify them as bullying in one form or another."

After yesterday's hearing, Layton, a solicitor for 16 years, said he would consider appealing. Mr Parkes, who is working for the Legal Aid Board while studying, said: "It was a nightmare working there. All I wanted was to see him in court for what he did."

Mr Parkes said he had arrived for work on May 17 to be confronted by Layton, who accused him of not having carried out work and began swearing violently when given an explanation.

"He punched me on the left shoulder and pulled me back as I was going past him. He raised his fist. It was a fight that was beginning. It was out of the blue. I pushed him and said 'Don't you touch me!'

Another solicitor, Raymond Berreto, stepped between the two as Layton lunged again. Mr Parkes said: "Bob was swearing and cursing trying to get round him. He was growling and snarling, with both fists clenched like he wanted to fight."

Under cross-examination by Mr Aridge, Mr Parkes accepted that the blow was landed with an open hand.

Mr Aridge said: "Is not Mr Layton, in the ordinary give and take of office life, as his employer, entitled to take hold of his arm?" To classify this as an assault would be "quite ludicrous", he added.

A very down to earth question.

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Adverts for bingo to be allowed on TV

BY RICHARD FORD
HOME CORRESPONDENT

BINGO operators are to be allowed to advertise their clubs and prizes on radio and television and in cinemas under further government plans announced yesterday to lift restrictions on the gaming industry.

Betting shops will also be permitted to advertise their facilities in the printed media but not on radio or television.

The move was welcomed by big companies in the industry who claim their business has been hit by the success of the National Lottery and fear it will be further damaged by the imminent arrival of a mid-week lottery draw. Under the proposals, the ban on the advertising of bingo on radio and television, including the amenities offered by clubs and the prizes to be won, would be lifted.

Advertisements would be required to conform with guidelines laid down by the Independent Television Commission and the Radio Authority and would not be allowed close to children's programmes. Betting shops will be allowed to advertise in newspapers, magazines and listings guides.

Simon Clarke of Ladbrokes said the move would particularly benefit small bookmakers. But he added: "All bookmakers are still urgently pursuing deregulation measures which will address the damage being done by the lottery and the threat posed by the arrival of a midweek draw."

The announcement is the latest in a series of initiatives designed to cut the red tape surrounding the gaming industry. Last month the Home Office published proposals to allow casinos to open in some of England's cathedral and spa towns, permit prospective members of casinos to apply for membership by post rather than in person and to give members access to other casinos within the same group. Payment is also to be allowed by debit card and the waiting time between applying for membership and being allowed at the gaming tables is to be halved to 24 hours.

Timothy Kirkhope, a junior Home Office Minister, said the latest measures were well-balanced. "It is time we allowed betting shops to advertise their locations and, for bingo, which is a social 'soft' form of gambling, it makes sense to remove all the advertising restrictions in the gambling legislation which would mean operators could use it for membership by post rather than in person and to give members access to other casinos within the same group. Payment is also to be allowed by debit card and the waiting time between applying for membership and being allowed at the gaming tables is to be halved to 24 hours."

The plans will be put to the deregulation committee in both Houses of Parliament before going ahead.

The Government is still considering whether to allow public houses to open until midnight on Friday and Saturday nights after a consultation exercise disclosed deep divisions over the plan. Unless ministers move quickly it is unlikely the longer opening hours would be operating before the general election.

University head retires ill



A former director of the Victoria and Albert Museum is to take early retirement as Vice-Chancellor of the University of East Anglia, after having multiple sclerosis diagnosed. Dame Elizabeth Esteve-Coll, 58, left, will leave when a replacement is found. As the museum director from 1988 to 1995, she drastically improved visitor figures but attracted criticism for being too "populist".

Airport fire safety fine

An airport was fined £12,500 for putting passengers' safety at risk by blocking off a fire exit during building work. If an emergency had occurred travellers would have headed to a marked fire exit at Luton airport only to find a sign saying: "Entry strictly forbidden — contractors only", Luton Crown Court was told. Beyond the door they would have encountered a "bulldozing site" with scaffolding, heavy machinery and numerous obstacles. The airport admitted charges under the Fire Precautions Act.

The cream of waterbeds

A Dutch company is seeking a patent for the cattle waterbeds that it claims will boost milk yield. About 180 of the water-filled rubber mats, which can be heated, have been delivered to a dairy farm in England. The farmer is so pleased with them that he has ordered another 100. "It is good for a cow to lie comfortably," a salesman for the Dunlop-Enerca factory said. "Cows can be compared to top athletes. Under the best circumstances they will give their greatest performances."

US aims to beat jinxed Mars record

BY NIGEL HAWKES
SCIENCE EDITOR

SCIENTISTS from the American space agency Nasa this morning hope to improve on the chequered record of recent missions to Mars.

Nasa's Global Surveyor, launched on November 7, is on its way, albeit with a defective solar wing, but Russia's Mars 96 ended in the Pacific Ocean soon after launch on November 16. "One near-miss, one miss and now it's our turn," said Curtis Cleven, today's launch operations manager for Mars Pathfinder. "We're all a little nervous. At least I am."

Mars Pathfinder contains a lander and a small robotic rover called Sojourner. It is due for launch just after 7 am this morning on a Delta rocket from Cape Canaveral, the timing determined by a flight plan which will take it direct to Mars. If all goes well it will arrive on the planet's surface on July 4 next year.

It will plunge towards the surface at 17,000 mph without tarrying in Mars orbit, open a parachute and then, just before impact, inflate two airbags and fire retro-rockets. When it hits, it will roll and tumble, the airbags at each corner protecting it from damage. It could

take several minutes to come to a halt. The bags will then be deflated and "petals" will open up to support the spacecraft and turn it right side up. It will take pictures, transmit data, and allow the six-wheeled Sojourner to leave down a ramp on to what should be a flatish floor of a dried-up flood plain.

Sojourner, with its battery of test instruments, is designed to last for only about a week, though if the electronics survives the constant hot-cold cycling of the Martian day and night it may go on for longer. At \$190 million, Pathfinder is a low-cost mission, far less ambitious than the doomed Mars 96.

Businessman dissolved body in acid for crime better than an Agatha Christie, court told

Husband 'boasted wife was victim of perfect murder'

BY A STAFF REPORTER

A BUSINESSMAN boasted that his wife's disappearance had been a perfect killing, a court was told yesterday. Russell Causley was alleged to have said it was "better than an Agatha Christie murder".

In 11 years, no trace of his wife Veronica has ever been found. He said she had run away after he moved his young mistress into their Bournemouth family home. In fact, Winchester Crown Court was told, her domineering husband had apparently killed her "with a shot of gas" and her body was dissolved in acid. He denies murder.

Anthony Donne, QC, prosecuting, said that Mr Causley lied to friends about his wife's whereabouts, and got his lover to forge her signature to make it look as if she was still alive.

It was only when Mr Causley, 53, found himself in prison for an insurance fraud that he bragged to another inmate about his undiscovered crime, it is alleged. He was also said to have talked with another prisoner about whether it was possible to be convicted of murder if no body has been found.

Mr Donne told the court: "He was not only ruthless in getting rid of his wife, he was

also entirely determined to get his own way. He is a clever, devious and cunning man. Having murdered her, he got rid of her body in such a way that it would never be found."

Mr Donne said that the businessman had married in September 1965, when his bride was 20. His surname then was Packman. They had a baby girl, Samantha, four years later, but the young mother was prevented from having contact with her own family. The first they knew of their grandchild was when the family made an unannounced visit. Her parents saw her just once more, in 1976, when again the family arrived without warning. They last heard from her in the summer of 1985 when, Mr Donne said, she "disappeared off the face of the earth".

The jury heard that the businessman had met his 25-year-old lover, Patricia Causley, when he employed her after he opened an insurance business in Bournemouth in 1984. A few months later she had sold her flat and moved into the family home. After his wife's disappearance,

he was said to have told friends a number of stories about where his wife had gone, for example that she had



The wife who vanished: Veronica Packman with her daughter, Samantha, and husband Russell, now on trial

gone off with a rich German, or that she had gone missing "with a guy in a red Porsche".

He claimed she was in Switzerland, Malta and Germany, and that he had given her £20,000 as a settlement.

Mr Donne said that when one friend asked why he had not sold his house, Mr

Causley told them it had something to do with Veronica which would take seven years.

Mr Donne told the court: "This is the time that presumption of death is made."

It was in 1990, said Mr

Donne, that Mr Causley and his lover began transferring the house into their own

names. A woman telephoned a solicitor in Southampton, Hampshire, claiming to be Veronica. Later a woman arrived at the office and pretended to be her. It was really Patricia Causley, said Mr Donne.

In Brixton Prison, Mr

Causley allegedly confessed to murder in a conversation with

a fellow inmate, who later told a probation officer. Later, Mr Causley was transferred to Ford Open prison, where he told another inmate: "I put her away peacefully with a shot of gas and put a plastic bag over her head. I used acid to get rid of the body." The trial continues.

Police seek man after wife is shot dead

BY RICHARD FORD
HOME CORRESPONDENT

POLICE were last night looking for the estranged husband of a woman shot dead at a house where a children's birthday party was being held. Thomas McGhee, 53, had chased his screaming wife across a street after she fled to a neighbour's house.

Yesterday a white Vauxhall Astra car belonging to Mr McGhee was discovered abandoned six miles from the scene of the attack at Kimberley near Nottingham.

Police said they wanted to trace Mr McGhee, from Hinckley in Leicestershire. "He should not be approached," a police spokesman said. Relatives of his wife, Janet, have been moved to a secret address for their protection.

Mrs McGhee, 47, who has a young daughter, was chased by her husband as she ran from her home shortly before the shooting on Sunday evening. A witness said: "There was a boy's birthday party in the house she ran into. She was terrified and screaming."

"The children must have seen what happened because the gunman shot through the door. He shot her again and she died inside the house."

George Wood, another neighbour, said: "I heard two loud bangs. At first, I thought it was a car backfiring. When I looked out of the window I saw this chap running away down the driveway carrying a shotgun. He sped off in a white car."

Police protest as girls get two years for fatal kicking

BY LIN JENKINS

TWO schoolgirls were ordered yesterday to serve two years' detention for kicking to death a girl who came to the aid of her friend in a fight on the way home from a football.

Louise Allen was pulled by the hair and kicked in the chest before falling to the ground in the head as a group of about 30 teenagers gathered to watch. She was killed by one of seven kicks to the head, described as being of only moderate force.

The victim's mother, the local MP, and police officers involved in the case reacted angrily to the sentence, claiming it was too short. Both girls were remanded in custody on May 21 this year and will be released after serving a year.

Detective Chief Inspector John Cordiner, of Northamptonshire Police, said he would investigate what legal steps could be taken to have the sentence increased. "I am extremely disappointed," he said. "As a deterrent I would have expected more than a two-year sentence."

Ellen Allen, 35, the victim's mother, said: "They should have got at least four or five years."

William Powell, Conservative MP for Corby, said: "This case will have to be looked at by the Attorney-General who will obviously consider very



Louise Allen: died after trying to help friend

Cot-death charity founder denies theft

BY PAUL WILKINSON

carefully whether to appeal for a stronger sentence."

The two girls, then aged 12 and 13, stood impassively in the dock at Nottingham Crown Court as Mr Justice Hidden told them: "It was wicked violence and it resulted in the totally unnecessary death of that young girl."

Both girls, from Corby, had been involved in one of a number of fights in the town while the funeral was visiting. On the evening of April 29, the 12-year-old started a fight with one of Louise's closest friends. She appeared to be winning and, with about 30 teenagers watching, Louise intervened and tried to pull the aggressor from her friend.

In a statement read to the court one girl told how she heard Louise say "I can't watch this any more," before she went to help. The 13-year-old pulled Louise away from the chest. As she fell to the ground she was again kicked.

The witness added: "You could see she was not moving and it was like she was having an asthma attack. Someone shouted, 'What have you done?'" The 12-year-old replied: "Don't really care." The 12-year-old went over to Louise shouting at her: "Why did you jump into my fight?" The witness said: "Then she kicked her in the side of her head. The kick was quite hard."

Both girls left the scene. One was arrested later that night and the other the following morning. Both had admitted manslaughter at an earlier hearing.

Dr Clive Bouch, a Home Office pathologist, told the court that although Louise had seven bruises to her head, the largest was the fatal blow. He said the kick was of moderate severity and in most cases such a blow would have caused only minor injury. It was an "unlikely chance" that the injury proved fatal.

Both the girls responsible were said to have been bullied at school and were not aggressive.

The hearing continues.

Prayers for long service award

BY RUTH GLEDHILL
RELIGION CORRESPONDENT

FOR 300 determined worshippers a marathons Church of England service that lasted five hours left them on their knees and probably in the record books.

The *Guinness Book of Records* is to investigate claims that the service qualifies for an entry as the longest in the Church of England.

The service, in four churches in the London diocese, with the congregation walking three miles in a procession between the church-

ches, comes at a time when vicars are advised that sermons should be no more than 12 minutes and services no longer than an hour. Received wisdom in the Church of England is that most congregations cannot take more than one hour of worship.

The London service, taken by the Right Rev Brian Masters, the Area Bishop of Edmonton, was extended to allow the licensing of the Rev Nicholas Wheeler as priest-in-charge of four separate parishes in Camden, north London.

The Rev Jonathan Kester, the bishop's chaplain, said

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B&Q Environmental Update



Dr Alan Knight • B&Q's Quality & Environment Controller
Over six years ago, we put into place a planned programme to reduce the environmental impact of every product we sell.

This is our fourth annual update covering all the main areas of environmental activity during the past year and describing our plans for the future.

Timber & Forests

In 1991 we set two targets:
By the end of 1993: to have identified all the sources of our timber products down to forest level – achieved for over 98% (by volume).

By the end of 1995: all our timber products to come from well managed forests – only 1.5% of timber by volume failed.

Collecting and evaluating the data has been an intensive exercise involving one person working full time for over four years.

Independent Forest Certification – the best way forward

How can we be sure that timber is from well managed forests?

Until now evaluation of timber sources was dependent on 'internal scrutiny' – desk top studies and occasional visits to forests. The weaknesses are obvious, but it was all we had. But not anymore: we, like many other organisations, realised

back in 1990 that a more robust and credible system was needed. Forests must be independently certified. By working together B&Q and many other companies and environmental groups created The Forest Stewardship Council (FSC).

The Forest Stewardship Council (FSC)



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554-0204

The role of the FSC is to set the principles of good forest management and ensure that certification across the world operates to the same standard. We believe it currently represents the only credible system capable of operating globally.

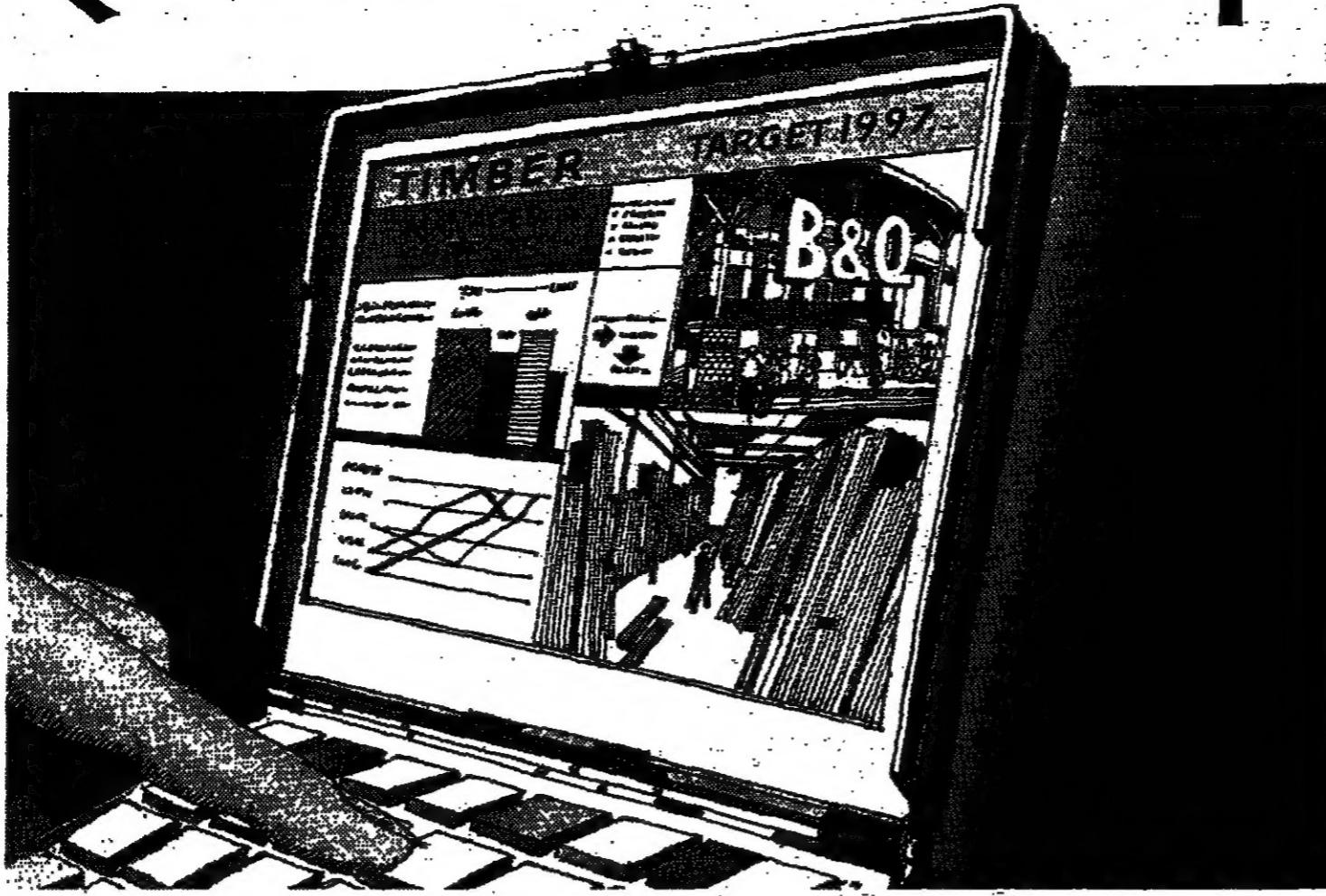
Customers are just beginning to see the FSC trademark on timber products in our stores and as these become more widely available we hope marketing campaigns from other retailers (including competitors) and the World Wide Fund for Nature (WWF) will help customers recognise and buy these products in favour of non-certified products.

Products available at B&Q which have already been independently certified:

PRODUCT	SUPPLIER	COUNTRY
Exterior Doors	Chindwell	Malaysia
Charcoal	Charcoal Almed, Recetta	South Africa
Interior Doors	Premium Timber	Poland
Edge Laminated Pine Boards	Premium Timber	Poland
Cabinet Door	Premium Timber	Poland
Wooden Door Furniture	Douglas Kane	Poland
Parquet Flooring	Western Cork	Zimbabwe

Certification initiatives are also underway in other countries such as Ivory Coast, Ghana, Sri Lanka, UK and Sweden.

Some producers have genuine forest management problems and real practical problems to overcome. Others are simply reluctant to support the concept of certification. We shall continue to explain to them why we believe it is important but if they are not convinced we will have to buy from elsewhere.



Target – By the end of 1995 the only wood we buy will be from independently certified forests.

Paint

One in three pots of paint sold in the UK for domestic use is bought from a B&Q store. We believe that between 0.6% and 2% of all solvent emissions in the UK could be from paint bought at B&Q.

The figure is large enough for B&Q alone to make an impact on the overall reduction of solvents. Solvents contribute to low level smog, climate change and can aggravate asthma. They also have an unpleasant smell. The future can be solvent free and where technically impossible, low solvent paints are the answer.

The first stage is already underway. We are working with our suppliers to ensure there is a clear and precise message on every single can of paint we sell. At the moment, this is not the case.

From a total of 123 products there was the following confusing array of labels:

Claim Type	Claim	No. of products
OZONE	Low odour.....	66
	Low in odour.....	3
	Lower odour.....	5
	Lower odour formula.....	5
	Less odour than conventional gloss paint.....	2
	Starch less odour than ordinary emulsion.....	2
	Low aromatic solvents reduces odour.....	2
	No unpleasant odour.....	2
	TOTAL	87
WATER-BASED	Waterbased.....	40
	Economical waterbased.....	1
	Waterbase copolymer emulsion.....	5
	Waterbased acrylic.....	1
	TOTAL	47
LOW SOLVENT	Solvent free.....	6
	Free from solvents.....	4
	Solvent free waterbased formula.....	2
	Low solvent.....	5
	Low solvent formula.....	1
	Very little organic solvent.....	1
	Safe to use, the use of water based alternatives should be considered.....	1
	TOTAL	20
OZONE	Ozone friendly.....	6
	Contains no fluorocarbons.....	3
	Contains no CFCs.....	4
	TOTAL	13
LEAD	No lead added.....	10
	No added lead.....	1
	Contains no lead.....	7
	Contains no lead additives.....	1
	TOTAL	20
PLANTS & ANIMALS	Harmless to plants.....	5
	Harmless to animals.....	1
	Harmless to plants and animals.....	1
	Harmless to plants and pets.....	2
	Plant and animal safe.....	1
	Harmless to plants when dry.....	2
	Harmless to plants and pets when dry.....	1
	TOTAL	13
RECYCLING (packaging)	25% recycled steel.....	12
	Recyclable.....	13
	TOTAL	25
OTHER	Environmentally friendly.....	1
	Lower environmental impact in manufacture.....	2
	Official Sponsor WWF.....	7
	TOTAL	10

When we finalise our policy at the end of the year we will start phasing out claims such as 'environmentally friendly'. We have also worked with suppliers to agree a standard format for displaying the solvent content of all products.

Proposed Target – End of 1999: to reduce solvent emissions from B&Q paint by 30% (using 1996 figures as baseline).

As part of this process we will start introducing new products with a lower solvent content.

Target – By the end of 1995 the only wood we buy will be from independently certified forests.

Target – December 1996: to finalise details of policy.

Target – End of June 1997: to have new labelling system in place.

Target – July 1997: to launch customer communication programme.

Charcoal

All our imported lumpwood charcoal is currently certified and next year all our new stock of briquettes and barbecue kits will be certified.

Charcoal production can help our forests in the UK. By working with the Bio Regional Development Group, it has been possible to sell charcoal from coppiced woodlands in the nearest B&Q stores.

Last season local charcoal was on sale in 120 stores. Target – by summer 1997: to buy locally produced charcoal for virtually all stores.

Target – by the end of 1997: to have 50% of UK sources of charcoal independently certified.

Working Conditions in Developing Countries

Working conditions in developing countries is a difficult and emotional issue. The most publicised example is the abuse of child or bonded labour. However, we believe the issue is more complex than just child labour. We have seen factories where as well as environment controls, health and safety can also be improved.

We have worked with suppliers to introduce basic health and safety measures in coir door mat, rug and brassware factories in India. We visit factories and if required request improvements. The scale and complexity of our supply base makes this a huge initiative.

By the end of 1996 we plan to finalise a method of audit and random follow up visits using local specialists for our entire Indian supply base. This will be used as a trial for similar initiatives across the world.

It will be several years before we are satisfied with the working conditions in our factories. However, we firmly believe working with our suppliers is the only way forward and is preferable to bans or boycotts which result in more hardship for the workers.

PVC

PVC has long been associated, rightly or wrongly, with dioxin contamination during PVC production and waste incineration. Also many PVC products contain phthalates. This chemical has been connected with the decline in fertility rates and the feminisation of some animal species. Some environmental campaigners are trying to persuade businesses to phase out PVC altogether. The industry has responded by focusing on the benefits of PVC and questioning the validity of the scientific theories. The issue facing B&Q is that both points of view have merit.

The science is ambiguous and there is as yet no consensus as to the true extent of the problem or to the solution. We will not take sides – but we want to do what is right for the environment.

We shall be financing a PhD student to work on this issue for three years to focus on reviewing the literature and relating it specifically to the B&Q product range. Chemical analyses will be undertaken as and when necessary. We will act on the research findings as soon as key facts are identified.

What of the other issues?

Supplier Assessment

There are so many issues for B&Q to resolve, we cannot resolve them all alone. We must get all our suppliers involved. Since 1991, it has been company policy for all our 600 suppliers to have an environmental policy, backed up by an action plan. By the middle of 1994, over 95% of our suppliers had a policy – an improvement of 85% since 1991.

Building on that progress in July 1995 B&Q launched a supplier assessment programme, called: QUEST which included both quality and environmental performance, QUEST, which stands for Q(uality), E(thics), S(tability) & T(ratment) of products, measures suppliers on ten key quality or environmental principles.

The extensive amount of information which needs to be processed has caused bottlenecks, but despite this we know that QUEST is the correct approach. Any suppliers not meeting a certain grade will not have any new products listed until they have addressed the problem concerned. Continued inaction will result in a company being de-listed. Of our existing suppliers, 30% have been reassessed and the average grades for the five environmental principles are:

QUEST 6
Average grade: 3.4
Environmental Policy and Awareness

Suppliers' understanding of the environmental issues associated with their products and their commitment to resolving them is graded by assessing the suppliers' published environmental policy.

QUEST 7
Average grade: 3.2
Environmental Action and Achievements

To ensure that a supplier's environmental achievement does not consist of only writing a good policy, suppliers' achievements are awarded a separate grade for action.

QUEST 8
Average grade: 2.5
International Supply Chains

B&Q believes that the issue of poor working conditions in factories in developing countries is a significant issue for retailers.

Therefore suppliers' understanding and commitment to this issue is awarded a separate grade.

QUEST 9
Average grade: 3.9
Packaging and Environmental Claims

The suppliers' ability to meet all the possible future legal requirements to minimise the amount of packaging used and design for recycling is jointly assessed with the accuracy and benefits or problems caused by any environmental claims on a product.

QUEST 10
Average grade: 3.5
Timber

The suppliers' ability to meet B&Q's present and future requirements of its timber policy and targets.

B&Q Store Performance – Waste Management & Local Agenda 21

We have the potential to make vast improvements in our own performance in terms of reducing our waste, recycling unused materials and working with the local community. This not only helps the environment but also saves us a small fortune!

Our Huddersfield store has formed a partnership with Kirklees Metropolitan Council addressing waste and energy management, staff awareness, customer communication plus community projects.

The store's waste minimisation initiative has involved donations of waste items to local schools and the staff together with Kirklees Metropolitan Council have cleaned up the stretch of the River Colne adjacent to the store.



The intention is to use this example as a case study to encourage other stores to become involved with their local authority's Local Agenda 21 programme. Agenda 21 is a global environmental action plan signed by the Government at the Earth Summit in 1992. All local councils are responsible for delivering improvements such as waste minimisation, energy efficiency and environmental enhancement.

QUEST for stores

In October we started to trial a new procedure for assessing the environmental performance of stores. This is based on QUEST for suppliers. There are 10 principles on which stores are graded.

- 1 Staff Awareness
- 2 Waste Legislation
- 3 Zero Waste
- 4 Litter Control
- 5 Customer Recycling Facilities
- 6 Energy Management
- 7 Customer Communication
- 8 Environmental and Community Interaction
- 9 Environmental Awareness of the Management Team
- 10 Enthusiasm of the Environmental Officer and Support from the Management Team

Forty stores are taking part in the pilot but it is intended to be available for all our stores by the middle of next year.

The more problems we solve, the more we find to solve

This is a summary of our actions. The complexity of the issues is immense and we know there is more we can do.

If you would like more detailed information, please fill in the coupon by ticking the relevant boxes and send it with a stamped addressed envelope (at least 21cm x 22cm) to: Dr. Alan Knight, B&Q plc, 1 Hampshire Corporate Park, Chandlers Ford, Eastleigh, Hants, SO53 3YX.

How Green Is My Front Door? (120 page environment review)
July 95, 75p SAE

Timber Update (poster)
February 96, 25p SAE

Information on B&Q's environmental programme can also be found on our site on the internet. The address is <http://www.diy.co.uk>

B&Q

Reporting on our impact on the environment.

Former Smith lets court know why he's miserable now

BY RICHARD DUKE

SONGWRITER Stephen Morrissey treated the less well-known members of the pop band The Smiths as "mere session musicians as readily replaceable as the parts of a lawnmower", the High Court was told yesterday.

While he and Johnny Marr, lead guitarist, each took 40 per cent of the profits, Mike Joyce, the drummer, and Andy Rourke, the bass player, got 10

per cent. Joyce, 33, has launched a legal action claiming that his share of past profits could amount to as much as £1 million which he believes he is owed by Morrissey and Marr.

The Smiths were one of the most influential bands of the

1980s, renowned for Morrissey's doom-laden lyrics and mournful Mancunian delivery. Their hit singles included *Heaven Knows I'm Miserable Now* and *Girlfriend in a Cinema*.

Nigel Davis, QC, for Joyce, said it was not until after the bestselling band split up in 1987 that his client discovered he was getting only 10 per cent of the profits. "It may be that some will say this claim is a cynical piece of opportunism prompted by the dissolution of the group. We submit that's not fair. Mr Joyce's case is that it was only when the group dissolved he went to see his accountant and was told that he'd been getting only 10 per cent," Mr Davis said.

Rourke, who will be giving evidence in the four-day hearing, settled with Morrissey and Marr in the late 80s for £80,000 and 10 per cent of future royalties. Mr Davis told how the band was formed in Manchester in 1982 and broke

up after "achieving very considerable" success. "They released a number of highly successful albums and highly successful singles. Their CDs continue to sell."

He said that Morrissey, who wrote the lyrics for the songs, and Marr, who wrote the music, were "clearly entitled" to the royalties from the group's songs and there was no dispute over that. But royalties for the recordings and profits from concerts by the group were paid to a company called Smithdom

Limited and Mr Joyce is claiming that as a partner he was entitled to a quarter share. "Now that it is admitted there was a partnership agreement between the four members of the band, the presumption is one of equality," Mr Davis said. However, both Morrissey and Marr "place emphasis on how much more important they were for the group".

"They had the highest profile so far as the public were concerned but it would seem they'd go further and claim

they are much more talented. They seek to play down the importance of Joyce and Rourke. They seem to disparage them, saying they were mere session musicians."

Mr Davis said it was "wrong to rubbish" Rourke and Joyce's contribution. The court was told that after Joyce raised the matter with Morrissey in 1988 they subsequently received £220,000. The Smiths' popularity was based on the eccentric public image of Morrissey, who is now pursuing a solo career.



Successful gardening at a stroke

By ROBIN YOUNG

TICKLING the tubers and stroking the strawberries could be the key to success in the garden.

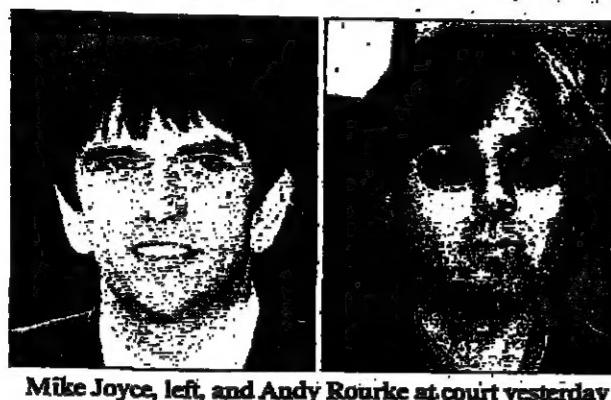
Scientists at Sussex University have shown that plants respond to touch. In most cases, regular stroking or brushing will stunt upward growth and produce more branches, leaves and flowers. Gail Taylor, lecturer in plant biology, is also studying the effects of stimulation on runner beans "to see if stroking them can make them crop more heavily".

The effect is known in the plant world as thigmotropism or thigmogenesis. It has been put to use in Japan and Holland, where nurseries already use mechanical brushing systems to massage small seedlings so that they grow more compact and robust.

What is happening, Dr Taylor said, is that tactile contact, mechanical perturbation, vibration or disturbance alters the polarisation of membranes in the plants' cell walls, opening channels for the flow of calcium, which is important in most plants in controlling growth.



Morrissey yesterday



Princess homes in on people with no castle

By DOMINIC KENNEDY AND ALAN HAMILTON

DIANA, Princess of Wales described homeless young people as "Englishmen without a castle" yesterday. She left Kensington Palace, one of her two homes, to launch a Christmas appeal on behalf of runaway children before hosting a ballet performance for 200 guests in St James's Palace.

On a day in which she looked clearly at ease with her new role as a former member of the Royal Family, the Princess palpably enjoyed herself demonstrating once again that she has lost none of her innate ability to attract the cameras and to bask in their attention.

She spent her morning highlighting the plight of runaways as young as 11 who have turned for help to Centrepoint, the homelessness charity, this year.

"If an Englishman's home is his castle, then what happens to that Englishman

Adebawale, Centrepoint's new chief executive, and exchanged whispers with him while other guests addressed the invited audience.

Later she met ten homeless people including Jason, 20, who first ran away from home aged 13. After being snatched by his mother, he used to fill bin liners with clothes and disappear for a few days to sleep in a workman's hut in a nature reserve in Winchester. He was taken into care, fell into debt to drug dealers and fled from them to London where he slept rough until being guided towards Centrepoint.

Later, for the first time since her divorce in August, the Princess hosted a function at St James's Palace, headquarters of the court of which she was once the leading light and where her former husband still keeps an apartment and his office.

The Princess, who is patron of English National Ballet, led 200 of the company's supporters and their guests in watching leading dancers, including the Hungarian Zoltan Solyomosi, perform extracts from *The Nutcracker*, *Don Quixote*, *Alice In Wonderland* and *Unrequited Moments* in the Palace's Picture Gallery. Later the Princess and her guests sat down to dinner in the Palace's Throne and Entrée Rooms.

Under the terms of her divorce, the Princess is allowed to use St James's for entertaining with the Queen's permission. By coincidence, the Princess's last visit to English National Ballet was on August 28, the day her decree absolute was issued by the Divorce Registry at Somerset House. As a court official signed the papers, the Princess watched the first day of rehearsals for the autumn ballet season.

St James's Palace is used frequently by the Prince of Wales to host receptions on behalf of his wife portfolio of interests and charities. Even while she was married, the Princess used its state rooms only occasionally on her own behalf. The Palace, however, remains familiar to the Princess: her small private office remains there for the time being until alterations are completed at Kensington Palace, her London home, to allow it to move there as specified in the divorce settlement.

Next week the Princess is scheduled to address an international meeting of leprosy associations in London on Monday, before flying by Concorde later the same day to attend a charity ball in New York.

The Princess made notes during a speech by Victor



Diana, Princess of Wales at Centrepoint yesterday

when he has no home," the Princess asked at the charity's annual meeting. "And if that Englishman is young — perhaps midteens, early twenties — what greater risks will confront him?"

Homelessness was not confined to the festive season but was a daily problem for many in our towns and cities, the Princess told the charity's supporters. "Neither are the homeless made up of 20 and 30-year-olds who have had their chance at life and failed miserably. The age of homeless youngsters is coming down. Children as young as 11 called on Centrepoint this year. Some had been running from physical and emotional violence, some from sexual abuse."

She concluded: "As the season of goodwill swings into gear I hope that all of us will be mindful of the Englishman who doesn't have a home to withdraw into."

The Princess made notes during a speech by Victor

Taking refuge in law

THE origin of the cliché "an Englishman's home [or house] is his castle" is legal and not literary (Philip Howard writes). Sir Edward Coke (1552-1634), Lord Chief Justice, who defended the common law against Charles I's royal prerogative, coined the phrase "A man's house is his castle, et domus sua cuncta regia non invaduntur et invadere non possunt" and everyone's home is his safest refuge." And again: "The

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Forsyth denies misleading MPs on food poisoning outbreak

BY SHIRLEY ENGLISH

LABOUR claims that the Scottish Secretary misled the House of Commons over the delayed release of a list of outlets linked to the food poisoning outbreak in Scotland yesterday. Michael Forsyth was denied by Michael Forsyth.

A total of 282 people have now reported symptoms and 150 cases have been confirmed as being infected with the *E. coli* 0157

bacterium linked to contaminated meat supplied by Scotland's Butcher of the Year. Some 25 people are seriously ill, including four children. Five people have died.

Lanarkshire, the worst hit area, had 225 people with symptoms and 105 confirmed cases, a rise of 18 since Sunday. Fife Valley had 55 suspected cases and 45 confirmed. There was one case from Greater Glasgow and one in Lothian.

Mr Forsyth maintained that

North Lanarkshire Council — and not the Scottish Office — had decided not to release a list of shops and wholesalers supplied by the butchers, John M. Barr & Son, until five days after the outbreak. He was responding to demands from George Robertson, the Shadow Scottish Secretary, that he explain why a food hazard warning, issued by the Scottish Office last Wednesday and later leaked, had been marked "confidential".

Mr Roberson said that there was a "stark contrast" between the memo and Mr Forsyth's remarks in Parliament last Thursday that the Scottish Office had no part in suppressing the list.

Mr Forsyth said the word "confidential" had been placed on the memo at the local council's request. He said when he was told on Wednesday that the council was withholding the list he had some "reservations". Later, he was in-

formed the list would be released. "I received a call saying it had been decided locally to release the information. It was right that should be done," he said. "The decision was taken locally. That is what I told the House of Commons. I did not mislead the House of Commons, I stand by what I said."

He said the council originally decided not to disclose information because of concerns about accuracy.

Lanarkshire Health Board later admitted that may have resulted in more people being infected.

Mr Forsyth yesterday visited Monklands Hospital in Airdrie, which is treating about half of the 59 hospitalised victims. It has closed its doors to all routine admissions and drafted in 12 extra nurses. It is feared that as many as one in ten of infected patients may develop kidney complications.

The funeral of Harry Shaw, 80, the first pensioner to die in the outbreak, took place yesterday at Wishaw Old Parish Church — the venue of a pensioners' lunch on November 17 where he ate contaminated meat.

Parents pay tribute to girls lost to meningitis

BY JEREMY LAURANCE
AND DAVID CHARTER

Samantha Milroy, left, and Anne-Marie O'Connor

THE parents of the two students who have died of meningitis at Cardiff University paid tribute to their daughters yesterday as health officials worked to trace the source of the outbreak.

It will take a week or more to analyse swabs taken from the 1,000 students and staff who have been inoculated against the A and C strains of the disease. The C strain is believed to have killed Samantha Milroy and Anne-Marie O'Connor.

Both students were aged 19 and were only children. They were described as popular young women with bright futures. Ms O'Connor, a first-year law student from Acton, west London, died on Thursday. She was a prize-winning public speaker whose ambition was to become a barrister.

In a statement issued last night, her mother said: "She was a high achiever in everything she did. She had lots of friends and made many more at Cardiff. They are all so upset."

Ms Milroy, a first-year pharmacy student from Stockport, Greater Manchester, died on Sunday, 27 hours after

contracting the disease. In a statement, her parents said they were proud of their daughter and all she had achieved in her short life. "All we have left are many happy memories of us together. This is our and Samantha's tragedy. There is no point trying to look for any reason in it — there is none."

Ben Edwards, a 19-year-old history student, said: "On Saturday loads and loads of parents were here taking people home. There must have been 100 or more. We have been told not to leave because there is a chance you can spread it about."

Professor Simon Kroll, an expert in molecular infectious diseases at St Mary's Hospital, London, said students were at more than twice the risk of succumbing to the infection compared with the

general population and four times more likely to carry the bacteria that cause it.

Three further cases among

students at the university have been confirmed. One 20-year-old male student remains critically ill in intensive care, but the two others continue to make good progress, health officials said. A special ward has been opened at the University Hospital of Wales, Cardiff, and 32 students had been admitted yesterday with a variety of flu-like symptoms. Twenty-four were kept in overnight for observation. No new cases of meningitis have so far been confirmed.

The health authority in Cardiff defended itself against

claims that it was slow to react

after it emerged that the two fatal cases were the fifth and sixth to be confirmed this term. Dr Bill Smith, public health director of Bro Taf Health Authority, said: "This was not an issue of incompetence, this was an issue of legitimate uncertainty and waiting for the disease to develop. Symptoms can be relatively mild or develop catastrophically fast. Health and university staff worked round the clock since the second death to inoculate all those at risk."

Left: the campus at the end, before news of the second death. Health officials appealed for them to get in touch so that they could be

spread it about."

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An opportunity that was missed



themselves and the source of the infection. Although understandable, this is very unwise.

The issue of the appropriate antibiotic to all those students in residence, and presumably the staff and regular visitors, should have eliminated any meningococcal lurking in the throats of the carrier, or carriers. The vaccination that has been carried out provided a very reasonable level of protection if by any chance the carrier escapes their dose of antibiotics, or in the unlikely event that the carrier had been reinfected by an outside contact. The advantage of the

students being in residence is that the local health authorities are prepared for any emergency and have all the facilities available to deal with anyone who shows any suspicious signs, however slight.

In the treatment of meningococcal septicemia, success is partly dependent on speed of diagnosis. Immediate use of antibiotics has cut the death rate to less than 10 per cent. In acute meningococcal infections, the earlier symptoms are confusing. Patients often think they are starting flu because they have a sore throat, headache and feel generally unwell. Within hours, the patient can be dangerously ill, the headache may well have become associated with vomiting, there may be a dislike of light, irritability, sleepiness and confusion which sometimes progresses to coma alarmingly quickly. Meningococcal septicemia rapidly causes collapse and cardio-respiratory failure.

The unsolved riddle of meningococcal infections is why, one in ten of the population may be carriers of the bacteria.

Some surveys show the figure can be one in four among young adults but only from time to time does an outbreak occur.

Whether the potentially lethal bacteria have been lurking in the throats of some students since October is a question that will need to be answered.

Rough seas and a shortage of fuel thwarted previous attempts by Breton and Norman fishermen to "invade" the area, known as the Sark Box. They are furious at Britain's decision, taken at Guernsey's request, to end a two-year-old informal agreement that allowed them to fish the Sark Box and another area, the Haricor, which are

rich in bream, sole, crab and lobster.

In return, Channel Island fishermen were given limited access to an area of French waters northeast of Alderney and to the north of the Roches Douvres lighthouse. Guernsey fishermen complained that the agreement was abused by the French.

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The agreement was suspended at midnight on Saturday but a shortage of diesel because of the strike by French lorry drivers forced the fishermen to postpone



French boats defy fishing ban

BY PHILIP JEUNE
AND MICHAEL HORNBY

TEN French fishing boats defied a British ban and entered a restricted area of Channel Island waters. Sea fisheries inspectors from Guernsey kept an eye on the boats and took their details but no arrests were made.

The fishermen, from the Normandy port of Granville, were accompanied by a French Navy helicopter and the *Coriolanus*, an unarmed French coastguard vessel, which is reported to have been ordered to intervene should any attempts at arrest be made.

No Royal Navy patrols were in the area, the only official British presence being the fisheries inspector in a chartered launch and a small inflatable. One French trawler was challenged by the launch and withdrew after an exchange of radio messages with the French coastguard vessel.

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The agreement was suspended at midnight on Saturday but a shortage of diesel because of the strike by French lorry drivers forced the fishermen to postpone

their invasion plans on Sunday, and 30-knot winds and rough seas kept them in port yesterday morning.

By mid-day the winds had eased and the boats set sail for the Sark Box to the south of Guernsey, arriving at about 2pm.

Ron Le Moignan, president of the Guernsey Sea Fisheries Committee, promised on Sunday to "fight a guerrilla war" with the French. By yesterday the official Guernsey line had moderated and a diplomatic solution was being sought by

the Foreign Office with the French Ministry of Agriculture and Fisheries.

"We have urged the French fishermen to show restraint," a Foreign Office spokesman said. "We are anxious that there should be talks as soon as possible to everyone's mutual agreement. There are absolutely no plans for gunboats at this stage."

The French Government maintains that its fishermen have historic rights to enter the two areas under an agreement dating to 1839. French trawlers have been in dispute with the Channel Islanders over fishing rights for years.

In 1993 two Guernsey sea fisheries officers were kidnapped by the crew of a French fishing boat they had boarded and taken to the French port of Carteret.

They were immediately returned to Guernsey by the French police but the next day 39 French boats blockaded the entrance to St Peter Port, their crews demanding talk with the Guernsey authorities.

Several French fishermen have been arrested and heavily fined for illegally fishing in Channel Island waters, the most recent being Jean Pierre Giroult who was fined £13,000 in Guernsey a fortnight ago. However, fines appear to have done little to deter the fishermen.

'Dirty tricks' claim over peace woman and ex-IRA bomber

BY NICHOLAS WATT, CHIEF IRELAND CORRESPONDENT

A SENIOR aide to George Mitchell, the chairman of the Stormont talks, flew into Belfast yesterday to deny allegations that she has developed a relationship with Gerry Kelly, the convicted IRA bomber.

Martha Pope, Mr Mitchell's chief of staff, said she had consulted her lawyers after a Sunday newspaper alleged that MIS had monitored her meetings with Mr Kelly. Speaking outside the talks centre at the Stormont Castle buildings, Ms Pope, 51, said: "I am just trying to make it clear to anybody who asks that there is no truth whatsoever to the story. It is completely false. I have never met Mr Kelly."

Mr Mitchell described the allegations as scurrilous. The former US Senator said: "The allegations are absolutely and totally false. They are a complete fabrication."

Mr Kelly, a senior member of the Sinn Fein delegation that met the Government during the IRA ceasefire, also said that the allegations were untrue.

Nationalists claimed yesterday that Ms Pope had been the victim of a dirty tricks campaign Joe Hendron, the SDLP MP for West Belfast, said: "These claims are total garbage. There are dirty tricks going on somewhere, although it is unclear where they started."

It is understood that the Democratic Unionist Party raised the allegations at a meeting last Thursday with John Major and Sir Patrick Mayhew, the Northern Ireland Secretary. A security source yesterday played down the allegations, saying: "This has been definitely denied. They would not have done so unless it was worth denying."

Gerry Adams, the president of Sinn Fein, said last night that Ms Pope and Mr Kelly had been the victims of "British dirty tricks". Mr Adams said: "It is unfortunate that not only has Gerry Kelly again been the focus of British lies but that Martha Pope has been victimised also."

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Council censured over Masonic link with developers

By IAN MURRAY, COMMUNITY CORRESPONDENT

FREEMASON councillors have been censured for the first time by the Local Government Ombudsman in a report that discloses extensive links between the organisation and the Conservative Party.

Investigating complaints that Masons made up a majority on a committee that approved three planning applications from fellow Masons, the ombudsman took the rare step of naming three of thirteen councillors for failing to declare an interest.

Since the office of ombudsman was set up in 1975, there have been more than 30 complaints about undue influence by Masons on councils, especially in planning cases. All of them have been rejected but public concern about Freemasonry has led to the publication of nine reports, even though this is not normal practice when a complaint has not been upheld.

The latest complaint concerns planning applications to Castle Point District Council in Essex between 1991 and 1994. The report found that eight members of the planning committee were Freemasons and that the partner of a ninth member was employed by one of the developers. A tenth committee member belonged to the same Conservative association as one of the developers whose home had been

used for fundraising functions.

The original application was by a Mason, who sold the property concerned, at Canvey Island, to his son, also a Mason. The son later submitted two amended plans for a hotel, car park and public house on the 1.2 acre site. His partner in the development was a Tory activist and close friend of another committee member.

"Rightly or wrongly Freemasonry is generally viewed with suspicion among non-Masons, not least because of the secrecy attached to 'the Craft,'" Jerry White, the ombudsman, says in his report. "Knowing that a councillor and a planning applicant are Freemasons and members of the same Lodge, members of the public could reasonably think that such a private and exclusive relationship might influence the member when he came to consider the planning application."

The ombudsman felt that the applications would all have been approved, even if the councillors had declared an interest. He ruled therefore that the two residents who complained that the development had spoilt the value of their adjacent properties had suffered no injustice and awarded no compensation.

However, he found that

"some [council] members had little or no regard for the code of conduct they had undertaken to observe in circumstances which could only fuel suspicion and mistrust of the way in which the council went about its business".

Bill Sharp and Ron Sweeting, councillors who were members of the same Lodge and Chapter as two of the developers, were named for failing to declare an interest and were found guilty of maladministration. Elizabeth Wood, a committee member whose husband was a councillor in the same Lodge as one of the developers for 15 years, was also named and found guilty of maladministration because she did not declare an interest.

Mr Sweeting, 71, said: "He named us just because we are Masons. We are all completely innocent. There is no law against being a Mason and we have done nothing wrong anyway. There is nothing to answer for. Nobody suffered. We influenced nobody. Planning permission was approved by the government inspector."

Commander Michael Higham, chief spokesman for the Freemasons, said that "by now the message ought to have gone out that they ought to declare an interest in this sort of case".

However, he found that

City suspends grant officials

By PAUL WILKINSON

TWO senior council officers in Sheffield have been suspended after an investigation into the way millions of pounds were distributed to ethnic minority groups.

An independent inquiry found "shortcomings" in the allocation two years ago of grants by the city's Department of Employment and Economic Development. A source at the council said the shortcomings involved incompetence rather than fraud.

At the time the department had a budget of about £5.5 million to distribute among projects to boost businesses started by Asian and Afro-Caribbean groups in the city.

The inquiry was set up in May last year after an internal investigation in December 1994 found evidence of mistakes in allocating money. The investigators produced a report that was never made public but is said to include suggestions that money was paid without applications actually being lodged or forms signed by the applicants.

It also claimed that money was sometimes paid direct to individuals with no check on whether it reached the intended organisation. It also found that different council departments independently handed over cash to the same groups. In one case money was paid to 31 Yemeni groups to cover different courses that appeared to be held simultaneously with the same tutor.

Terry Hall and Laura Moynihan, the two officials suspended, are senior managers in the Department of Employment and Economic Development. Their conduct will be investigated and a decision made on possible disciplinary proceedings.

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Book opens new chapter for library

By DAMIAN WHITWORTH

AFTER 11 years of construction, countless delays and a barrage of criticism, the new British Library took delivery of some books yesterday. They were the first of 12 million volumes to be moved over 2½ years. The first reader will not be admitted until this time next year; the library should have opened in 1993.

Among staff there was a distinct sense of relief that the building, at St Pancras in London, was finally being put to good use. The first book to be placed on a shelf deep in the basement was *The Oxford Book of English Traditional Verse*, hastily produced by Brian Lang, the library's chief executive, to replace a rather more obscure offering from the first crane.

Mr Lang was sad to be leaving behind the famous round Reading Room at the British Museum in Bloomsbury, where the likes of Marx, Thackeray and Shaw had worked. But the new library

would be a roomier and more comfortable environment for both scholars and books. The reading room was "a Victorian space designed with Victorian technology" and now unsuitable for storing books. "Storing them here increases their lifetime by a factor of four or five."

On hand to welcome the first batch were Harold Pinter and Lady Antonia Fraser. "I'm very excited," the playwright said. "I think it's a great tribute to the endurance

of the people who work for the British Library who have put up with all the things that have happened in the past few years. It has hardly been their fault and the criticism has been very unfair." Pinter, who has donated a number of his manuscripts to the library, added: "I won't be coming here to work as I'm a playwright and don't have to research for my work. But I shall come to browse."

His wife, however, had spent hours in the old library. "I have been going there for 43 years, since I left Oxford, and I hope to be one of the first in the new library. I felt quite exhilarated walking across the piazza in the sun-shine this morning."

The library should have opened three years ago but delays have meant that the humanities reading room will not open until November next year and the full library until June 1999. The most precious historical artefacts, such as Magna Carta, Lindisfarne Gospels and a copy of the Gutenberg Bible, will be on display to the public from spring 1998.

The new building, designed by Colin St John Wilson, was first discussed 50 years ago. The final bill will be about £51 million. Inspectors found more than 230,000 defects in the construction, including electronic book shelves that ejected books onto the floor, inadequate fire protection systems and a ceiling that had to be rebuilt because it was too low.

All-star B & B

A former astronomy lecturer has opened a star-gazing guesthouse in East Barsham, Norfolk, with glass panels and a telescope in every bedroom. Simon Batty will also offer talks and a computer link with Nasa.

Television in Gaelic is a £31m turn-off

By AUDREY MAGEE
IRELAND CORRESPONDENT

IRELAND'S first Gaelic-language television station has flopped, according to initial viewing figures. Fewer than 13,000 people are watching programmes transmitted by the one-month-old Teilifís na Gaeilge. Marketing men have awarded it a "zero" rating.

The highest audience was launch night on October 31 when more than 300,000 people watched the actor Gabriel Byrne speaking Irish. The Hollywood star wrote and acted in an hour-long drama about Ireland in the 1960s.

Ratings have since slumped at the station, which cost £31 million to set up, with only children's programmes remaining popular.

The station, known as TnaG, insists the figures drawn up by Nielsen Market Research in Dublin are unreliable. Padraig Ó'Gáirdha, spokesman for TnaG, said the high quality of the programming was receiving much praise from the public. "We are upset by them because we believe we are reaching a much larger audience than these figures would lead us to believe," Mr Ó'Gáirdha said.

The Nielsen survey examines the viewing habits of 600 people around the Republic but Mr Ó'Gáirdha said there was no way of knowing whether they had the proper facilities to receive TnaG's signal. Only half the population receives it automatically—as cable subscribers.

The other half are equipped with old-style UHF aerials and receive only the Irish channel. They need an aerial extension to receive TnaG. But few have bothered because only 4 per cent of the population is native Irish-speaking.

The poor ratings will provide further ammunition for the many critics who predicted the station would be a waste of taxpayers' money.

The Welsh channel S4C has, by contrast, been a big success. After 14 years on air its most popular Welsh-speaking programmes attract audiences of up to 300,000.

British broadcasters seek crackdown on Irish who tune in free

By NICHOLAS WATT, CHIEF IRELAND CORRESPONDENT

THE BBC and ITV are calling on the Irish Government to crack down on hundreds of unlicensed television groups that pirate their signals for nothing. British broadcasters are losing millions of pounds a year in potential royalties as their programmes are beamed into rural areas of Ireland.

The typical system works simply and openly. In Co Donegal, masts have been erected along the border with Northern Ireland by "defector" groups that feed signals to 51 smaller aerials in remote areas. Households pay a voluntary fee of £50 a year for the signal, which they pick up on conventional aerials.

Television fans in Co Cork use a different route, as they are more than 200 miles from Northern Ireland. The South Coast Community Broadcasting Service erected a mast 2,000ft up the Comeragh Mountains in Co Waterford, which picks up British signals from Wales. This is beamed to 23 aerials in Co Cork.

Radio Telefís Eireann, Ireland's state broadcaster, which provides a diet of dreary and silted programmes across three channels, can

only watch with envy as viewers tune in across the Irish Sea. But the pilfering of the British signal has proved too much for the BBC, ITV and Channel Four. Stephen Edwards, a London solicitor who collects royalties for the broadcasters, said they wanted the Irish Government to license the groups or to close them down.

"The Irish Government has, from time to time, said it would do something about it," he said. "But it hasn't. This is illegal."

His anger is shared by Irish cable companies that have government licences to provide British television to rural areas. Cable Management Ireland Ltd, which should have been beaming the signals to Co Donegal since 1993, is still battling with local television groups. It charges £105 a year.

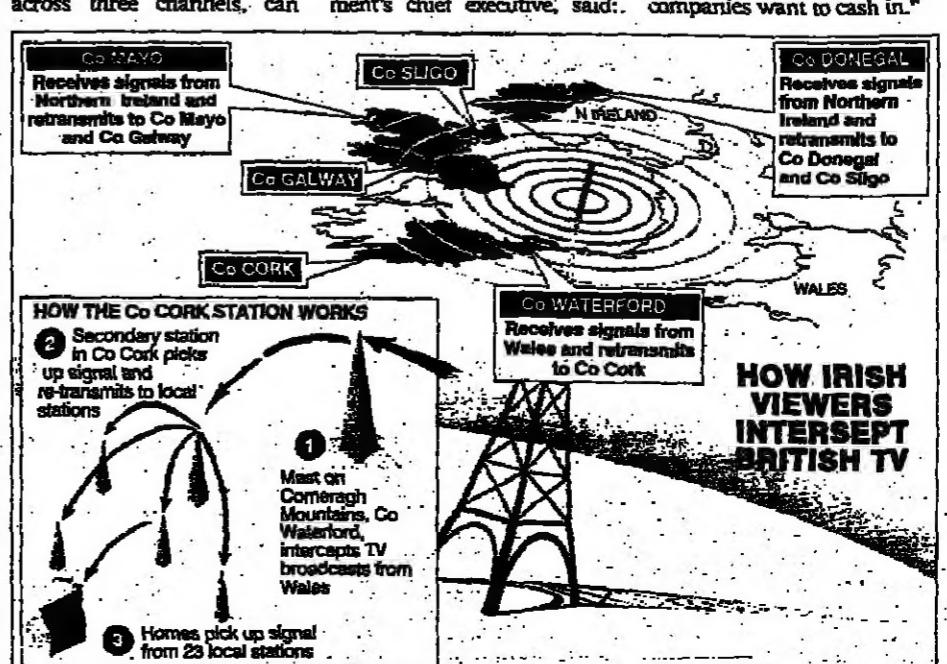
Last week an incendiary device was found near the cable company's TV mast and equipment worth £100,000 was destroyed recently. The Donegal Community Television Support Group strenuously denies involvement.

Ray Doyle, Cable Management's chief executive, said:

"Politicians in the Republic tackle the 'defector' groups at their peril. In the last general election, the group in Co Cork put up a candidate who polled more than 2,000 votes, unseating one of the candidates from the governing Fianna Fail."

However, Eric Curtis, the secretary of the Irish National Community Television Association, insisted that the groups were doing nothing illegal and would like to be licensed. They are awaiting a court case that will rule whether the Government was wrong not to consider licensing them.

The Irish Government has appointed consultants from the European Broadcasting Union to examine the issue. Mr Curtis said: "We are not commercial and are strictly run by local communities. We developed the market. Cable companies want to cash in."



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Astronomers see Royal Observatory sell-off knocked out of orbit

By NIGEL HAWKES
SCIENCE EDITOR

A PLAN to privatise the Royal Observatory has been abandoned for the moment because of financial and legal problems. The decision was welcomed yesterday by Sir Martin Rees, the Astronomer Royal, who called on the Government to give up the idea altogether.

An estimated £2 million had

been spent on preparing the sell-off. Sir Martin said: "I wish they had never embarked on it and now I think it should be abandoned. That would end the uncertainty and stop the waste of money."

Treasury reluctance to provide money to fund pensions and redundancy obligations for staff moving to the private sector is believed to have been one obstacle. Legal difficulties have also arisen over

international treaties involving British telescopes abroad.

Tony Bell, National Officer for the Institution of Professionals, Managers and Specialists, forecast that the retreat could mean other laboratories in the public sector being spared from privatisation. He said: "Public sector pensions are paid out of taxation, so there is no actual pension fund. Any company taking over the observatories

would have had to establish a fund to meet its pension obligations. The Treasury balked at producing the millions needed."

The Particle Physics and Astronomy Research Council, which runs the Royal Greenwich Observatory — now based in Cambridge — and the Royal Edinburgh Observatory, declined to confirm this account. A spokesman said that the council would not be in a position to start

the tendering procedure through which the observatories would have been privatised before March.

The abandonment was announced in a parliamentary answer by the Science Minister Ian Taylor, who said that the council was determined to resolve the difficulties as soon as possible. Given the length of the likely delay, he said: "The current tendering exercise has been formally terminated". Dr

John Mulvey, of the pressure group Save British Science, said he believed that the bill for legal and other advice would be £2 million. "A lot of effort has been thrown away at the cost of research."

Sir Martin said that he could better understand the logic of privatising the observatories, as their commercial benefits were limited: "Spanish and American lawyers have been beavering away

for months trying to sort out agreements covering telescopes in the Canary Islands and in Hawaii. This has wasted a great deal of money and caused a lot of uncertainty, to the detriment of science.

There is a case for running observatories in closer co-operation with universities, as in the US."

The observatories and telescopes employ about 300 people and cost about £15 million a year.



Paintings from Sir Denis Mahon's collection, which he may leave to Italian galleries: *A Sibyl holding a Scroll* by Guercino, *Saint Jerome* by Domenichino, and *Madonna of the Sparrow* by Guercino

Mahon threatens to send paintings to Italy

BY DAMIAN WHITWORTH



Sir Denis unhappy at government philosophy

SIR DENIS MAHON yesterday threatened to leave his fabulous collection of Italian baroque paintings to galleries in their native land if the Government failed to behave "in a civilised way" and meet his strict conditions for their distribution to British museums.

The eminent art history scholar said yesterday that he had already decided to bequeath a minor part of his collection to galleries in Bologna. He said the works worth £25 million that were destined for the National Gallery in London and other institutions could also be sent out of the country if the Government

did not stop cutting arts funding. He recently met the Italian Prime Minister and praised his knowledge of art.

As reported in *The Times* yesterday, Sir Denis, 86, is stipulating in his will that the National Art Collections Fund (NACF) must withdraw his works from any gallery that is ever forced to sell any item from its permanent collection. He has also declared that his offer to leave the bulk of his collection to the nation will be withdrawn if the "downward trend" in central government funding of the arts continued. He may

also insist that his paintings be withdrawn from museums that introduce admission fees.

He refused to say yesterday exactly what the Government would have to do to ensure his collection passed to the nation. "I will just have to see what Virginia Bottomley [the National Heritage Secretary] has to say for herself," he said. "I want the Government to change its philosophy which is to go on cutting year after year. If they want to treat water that would be all right. But to let it slide like this is monstrous." The

works will be on display at the National Gallery in London in an exhibition entitled *Discovering the Italian Baroque: The Denis Mahon Collection*, from next February.

Sir Denis said he had been impressed when he met Romano Prodi, the Italian Prime Minister, who is from Bologna where many of the works were painted, on a recent trip to accept an award for promoting Italian art. "I saw him on the day that a minister had resigned, which was rather an awkward moment for him, but he gave me a quarter of an hour

of his time. He knew about the exhibition of my collection at the National Gallery. He wants to see this exhibition and I've agreed to show him round. He's a very civilised man."

Asked if his paintings could end up in Italy if the British Government failed to meet his criteria, he said:

"We shall have to see if it [the British Government] behaves in a civilised way or not."

Sir Denis's collection includes works by Guercino, Guido Reni and Pietro da Cortona, the most expensive of which cost him £2,000 in 1953. He proposes that they be distributed among the National Gallery in London and seven other museums.

£10m lottery cash offers new life to village halls

BY MARCUS BINNEY

PEELING paint, cracked plaster and dodgy loos should be things of the past for Britain's village halls under a £10 million lottery programme.

Recent surveys of the 8,500 halls in England found that more than half were built before 1930 and half no longer met modern standards and needs for lack of funding.

The scheme announced yesterday, named "21st-Century Halls for England", aims to fund up to 200 village hall projects, ranging from major refurbishments and extensions to new buildings. Action with Communities in Rural England (Acre) will administer the scheme, which is funded by the Millennium Commission.

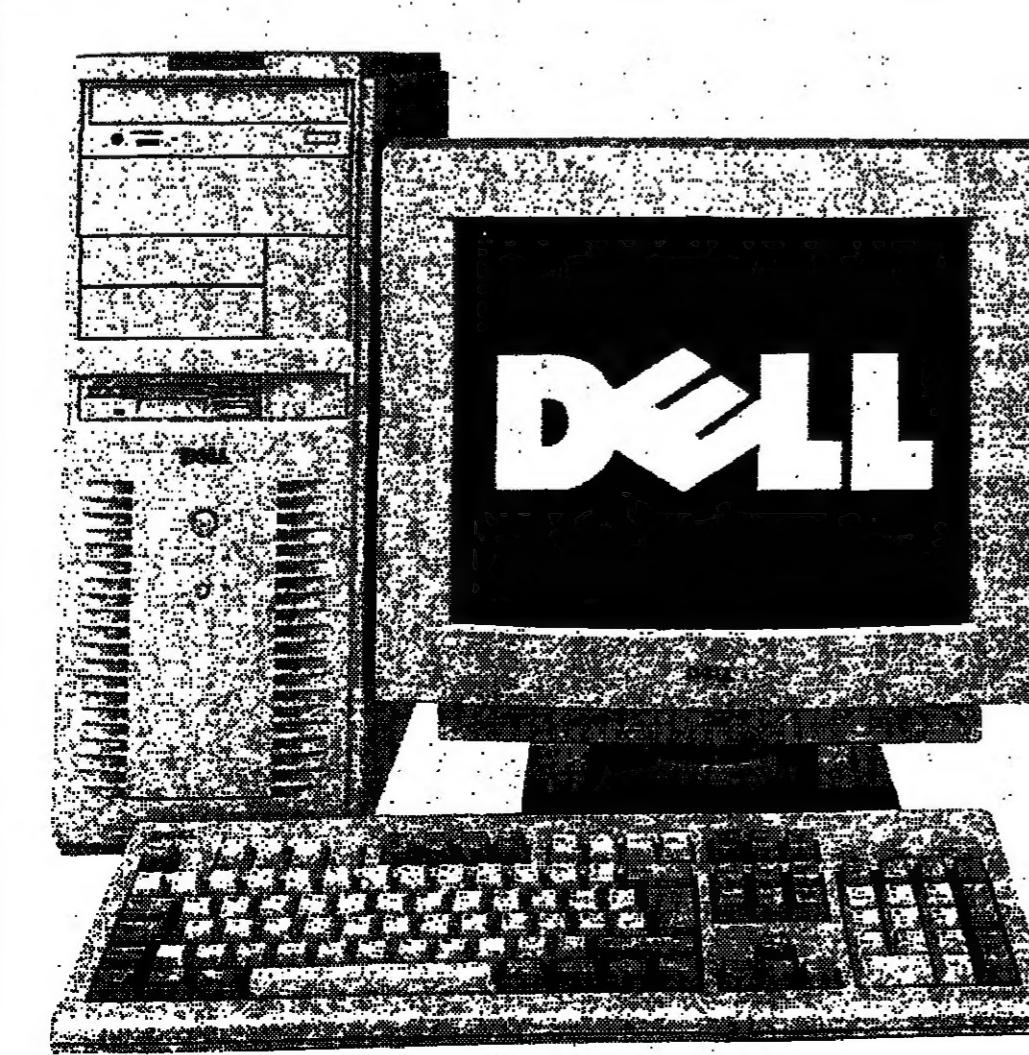
Les Roberts, director of Acre, said: "Each project must demonstrate high-quality design, energy efficiency and access for everyone. Many projects will include information-technology systems."

Architects and historians were quick to point out that the older halls were often the most attractive and sympathetically designed. The architect Roderick Graddidge, a specialist on the Edwardian period, commented: "They used the best architects ... and many leading arts and crafts figures of the day. They did it in the most romantic way. Each hall was related in both design and materials to its village." Many were built as war memorials. Others are converted RAF and Army huts.

A Millennium Commission spokesman said: "Our concern now is that designs should be of high quality. We are determined not to have a repeat of the 1950s, when many community halls of dismal appearance were built."

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Leading article, page 17

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Cultural trust plan based on lottery aid

By JAMES LANDALE

LABOUR plans to set up a "National Trust" to protect and promote Britain's intellectual and cultural heritage with money from the National Lottery.

The scheme, announced yesterday, would give financial help to talented young people working in the arts, sports, sciences and technologies. After start-up funds from the lottery for up to five years, it would become a self-financing charity.

Money would also come from royalty donations and the ceding of intellectual copyright from established artists, sportsmen and scientists.

The idea is backed by the film producer Sir David Puttnam, who said it was an exciting way to build on the creative ability of Britain's young people. "It should be for the 21st century what the National Trust has been for the 20th."

Labour would ban lawsuits over failed exams, says Blunkett

By JILL SHERMAN, CHIEF POLITICAL CORRESPONDENT

A LABOUR government would change the law to ensure that children who failed their examinations could not sue education authorities responsible for poorly performing schools, David Blunkett said yesterday.

The Shadow Education Secretary said it would be "disastrous" if fear of provoking legal action prevented inspectors from telling the truth about a school's standards.

Mr Blunkett made his comments as insurance companies representing education authorities said that they would fight claims for damages over bad examination results. Two 17-year-olds are claiming compensation for poor GCSE results at schools that have been heavily criticised by Ofsted, the schools inspection agency.

One of the teenagers left school two years ago without any GCSEs and the other got poorer grades than expected. Both are retaking their courses at sixth-form colleges

and are suing for loss of earnings and seeking compensation for the cost of tuition.

Mr Blunkett spoke of the dangers of allowing similar claims to proceed. "I can't see how we can go into a situation where there is a threat hanging over legitimate inspection, where revealing that something is wrong is then used in terms of taking legal action and where money is then withdrawn from a school which needs it desperately."

"It would be disastrous if legal advice precluded telling the truth about a school and then taking positive action to improve standards rather than paying compensation."

Yesterday insurance experts said there was little chance of anyone securing big out-of-court settlements like the £30,000 obtained by a man who had claimed damages for being bullied at school. The two latest cases are being prepared by Jack Rabinowicz, the London solicitor who acted

for the bullying victim. In that case the insurer, Sun Alliance, decided that it would be cheaper to settle out of court because the plaintiff was legally aided, the company would have been unable to recover its costs even if it won.

Yesterday Zurich Municipal, which insures most education authorities, said reports that 70 or more former pupils were preparing to sue schools over poor results radically changed the financial calculation. The firm would need to fight and win a test case.

School governors backed Mr Blunkett. Pat Petch, chairman of the National Governors' Council, said: "Unless there is urgent clarification, there is likely to be an ever-lengthening queue of young litigants. Schools will be hit by the cost of escalating insurance premiums if insurance companies decide to settle rather than fight cases."

Libby Purves, page 16



Victoria Scott, right, at the protest outside Parliament yesterday

Disabled activists protest at new law

By DOMINIC KENNEDY
SOCIAL AFFAIRS CORRESPONDENT

DISABLED rights campaigners protested outside Parliament yesterday against new laws that they say are inadequate.

The Disability Discrimination Act, which became law yesterday, makes it an offence to discriminate against disabled people in the workplace or in the provision of services by shops, hairdressers, cinemas and pubs. The protest by 100 people was organised by Rights Now, which believes that Parliament was wrong to exclude firms with fewer than 20 employees.

Among the protesters was Victoria Scott, whose campaign for handicapped people's rights helped to bring down her father as Minister for the Disabled. In 1994 she called on Sir Nicholas Scott to resign after he talked out previous legislation on the disabled. Yesterday she pushed a fellow demonstrator in a wheelchair as campaigners chained themselves to two buses in Whitehall in an attempt to block the highway.

Alistair Burt, Minister for the Disabled, said: "There are some campaigners who are still fighting the battles of yesterday."

Clarke's refusal to shift on Europe is not just defiance

Kenneth Clarke does not seriously believe that a re-elected Conservative Government would take Britain into a single currency in the first wave, or at any time in the next Parliament. Indeed, he expressed doubt last week about whether enough countries would genuinely meet the convergence criteria so that any monetary union is credible and sustainable. However, his determination to keep open the option of participation is not just a quixotic gesture of defiance, though the Chancellor does relish taunting his sceptic critics.

His real concerns are twofold. First, as he said last week and repeated yesterday, it is in Britain's interests to have a stable monetary union, whether we are in or out, because the likely participants are among our biggest export markets. So Britain should remain involved in the negotiations, and, in particular, over which countries qualify for membership.

Second, and more important, Mr Clarke believes that a government decision ruling out membership in the next Parliament would send a negative signal about Britain's broader relations with the European Union, and would be a big victory for the sceptics. It would be seen as a move towards the renegotiation of Britain's membership, which a growing group of Tory sceptics want.

Mr Clarke and Michael Heseltine, fear the operation of a ratchet after a series of concessions to the sceptics in recent years. After being reluctantly persuaded last spring to agree to a referendum on a single currency, Mr Clarke is now determined to draw a line. Most of the Cabinet believe that he is not bluffing and might resign if the "wait-and-see" policy is abandoned.

However, there is an ambiguity in the Government's position. Mr Clarke has stuck to the letter of the official statement after the Cabinet decision in April on the referendum that "we will be keeping our option open at the next general election". However, Downing Street was

yesterday saying "we will take decisions when there are decisions there to be taken". That could be a crucial let-out since it leaves open the possibility that, if the Government concludes in, say, February or March, that the position is clear over the form of monetary union, it could then decide it would not be right for Britain to enter in the first wave. And, hey presto, a gap would open up with Labour which could be depicted as being willing to "sell out the pound", even though Robin Cook has emphasised Labour's doubts. That, at any rate, is in the hope of the sceptics and they believe that John Major is on their side. Not surprisingly, Mr Clarke has been saying that final decisions on the shape of monetary union may not be taken until the European council after the general election.

For at least two years Mr Major has told people that he doubts whether any early monetary union will work and, anyway, does not believe that Britain would join. But he has been constrained by the attitudes of Mr Heseltine and especially Mr Clarke, while, along with Malcolm Rifkind and Mr Clarke, he is worried about undermining Britain's influence in the negotiations.

Little is likely to happen in the short term. The sceptic press is trying to build up pressure on the Cabinet with stories where the wish is father to the news and wholly unscientific surveys of readers' views. But even sceptic Cabinet ministers do not want to force the issue now in view of Mr Clarke's refusal to shift. More likely is an attempt to reopen the question on the eve of the election or in a personal expression of view from Mr Major (the Huntingdon declaration option). Either would risk splitting the Cabinet. For the next five months, at any rate, Mr Clarke remains the most powerful man in the Government.

PETER RIDDELL

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IN PARLIAMENT

TODAY in the Commons health questions to the Prime Minister, Budget debate, final day; backbench Lobbies on treasury bills. In the Lords, Second reading of Bill of Rights and readings: National Health Service (Primary Care) Bill, second reading; debate on the Bill to ban racial and religious discrimination in revised European Union Treaty.

Dishonest
Russian
faces dis-

Disabled
activists
protest
at new law

'Dishonourable' Russian general faces dismissal

FROM RICHARD BERSTON
IN MOSCOW

A FURIOUS battle broke out in the Russian military's top ranks yesterday after General Igor Rodionov, the Defence Minister, accused one of his most senior officers of "dishonourable conduct" and demanded his sacking.

In a move which could signal a fresh purge of Russian top brass, General Vladimir Semyonov, the commander of Russia's land forces, was accused of "actions discrediting the honour and dignity of a serviceman and incompatible with his duty". His duties have been taken over by his deputy, General Anatoli Golovinov.

Since June President Yeltsin has sacked or removed more than 15 top generals from the demoralised armed forces, amid warnings that the army was on the verge of mutiny.

General Semyonov, 56, a former Soviet deputy Defence Minister, has held his position since 1991 and was in charge of ground forces during the assault on Chechnya two years ago, which began one of the most humiliating chapters in Russian military history.

However, the wording of a presidential decree, which has been prepared but not yet signed by the Russian leader, suggested that it was the general's activities out of uniform, rather than his profes-



Semyonov: questions over family business

sional conduct, that were being questioned.

The military authorities are under strong pressure to clean up widespread corruption at the top, and 100 senior officers are under investigation for abusing their positions. General Semyonov denied any wrongdoing yesterday. "This is completely unexpected," he said. "I have not received any concrete and convincing accusations from the Defence Minister and the reasons for my dismissal are still unclear to me."

Sources in the Ministry of Defence said that the private business interests of members of the general's family had come to the attention of the authorities and may have presented the Kremlin with a pretext to get rid of him. Since

the appointment of General Rodionov in July, the white-haired commander has set about removing an entire tier of the top command and replacing the generals with his own appointments.

The Defence Minister wants his men in place when he begins an ambitious programme of reforming the Russian military from the present chaotic, demoralised, conscript force, into a smaller, better-trained and better-equipped professional army.

But the abrupt personnel changes at the top, and the ensuing political row, have done little to calm the ugly mood within the ranks. Many soldiers go for months without pay because of government incompetence or corruption. Middle-ranking officers in particular have grown increasingly disgruntled.

Although by tradition the Russian armed forces have rarely become directly involved in politics, the political establishment is now littered with former army officers, most prominent among them General Aleksandr Lebed, the nationalist who remains highly popular among the 1.5 million men in uniform.

Yesterday's row was particularly galling for many military men as they marked the 100th anniversary of Field Marshal Georgi Zhukov, who commanded Soviet forces in the Second World War.



Dressed as Father Christmas, Germany's Finance Minister Theo Waigel joins a Munich party to raise funds for youngsters under the slogan "Europe helps children"



Havel: hard smoking and drinking habits as a dissident have taken their toll

Surgeons remove tumour from Havel's lung

FROM ROGER BOYES
IN BONN

PRESIDENT HAVEL of the Czech Republic was recovering last night from an operation to remove half of his right lung.

The chain-smoking former dissident had a final pre-operation cigarette with Jan Stary, the Health Minister, before doctors removed a small malignant tumour from the President. Pavel

Pafko, one of the surgeons, suggested that Mr Havel, 60, could be back at home in ten days. This indicated that the doctors had not found any sign of spreading cancer. The President is expected to resume his duties after about six weeks.

"Doctors believe that the illness has been caught in an early stage," Ladislav Spacek, the presidential spokesman, said.

Mr Havel is one of the few

senior politicians left in central and eastern Europe who can display a long history of anti-Communist activity. Former communists still dominate in countries like Hungary and Poland — where Lech Walesa, the former President, was yesterday told that he might be prosecuted for removing secret documents while head of state.

A basic qualification for dissidents in the 1970s and 1980s was

the capacity to smoke and drink hard while sustaining an argument for many hours. These habits, made worse by enforced manual work and stints in damp prisons, has undermined the health of many of the intellectuals who toppled communism.

Mr Havel has few political powers as President but he retains strong moral authority and an 80 per cent approval rating in a recent opinion poll.

Pope and Carey to reopen dialogue

FROM RICHARD OWEN
IN ROME

THE Archbishop of Canterbury, George Carey, today flies to Rome in a bid to give new impetus to the flagging Anglican dialogue on closer ties with the Roman Catholic Church in the run-up to the millennium.

The talks follow last week's "compact" between the Anglican and Lutheran Churches, and the Pope's overtures last weekend to the Orthodox churches. The Pope said he hoped the millennium would "guide Christians to a full and visible unity".

But a spokesman for the Vatican Council for Christian Unity said that although Anglicans and Catholics had a "shared moral vision", the Anglican ordination of women was "casting an increasingly long shadow" over relations. The fact that Dr Carey himself ordained women had "particular significance".

In an unusual snub, Vatican officials have turned down invitations to attend a service of prayer to be conducted in Rome this evening by Dr Carey. Officials said the service was being held at an Episcopalian Church where a woman priest, who converted from Catholicism to Anglicanism, was recently ordained.

Dr Carey is to hold two meetings with the Pope during his three-day visit to Rome. Canon Richard Marsh, the Archbishop's Secretary for Ecumenical Affairs, said that issues such as women priests and papal infallibility would be dealt with "within the context of dialogue".

Dr Carey and the Pope will worship together on Thursday at the church from which St Augustine, the first Archbishop of Canterbury, was dispatched to Britain with 40 monks by Pope Gregory I exactly 1,400 years ago.

□ Vatican City: Cardinal Jerome Hanner, 80, a prelate chosen by the Pope to enforce discipline among religious orders, died yesterday. (AP)

Letters, page 17

Two jailed for attack on Briton

BONN: Two German skinheads who crippled Noel Martin, 38, a black British construction worker, in a racist attack last summer were given eight- and five-year jail sentences. (Roger Boyes writes). Anti-foreigner sentiment in eastern Germany has claimed British, Italian, French and Vietnamese victims.

Mr Martin was paralysed from the neck down when the two youths threw a 44lb stone through the back window of his car, which then hit a tree.

Leader defeated

KISHINEV: Petru Lucinschi, Moldova's top Communist official in Soviet times and the Speaker in parliament, was declared victorious over President Snegur in a run-off election. (AP)

Informers jailed

ANKARA: Two army sergeants were jailed for giving military information and equipment to Kurdish guerrillas, the Anatolian news agency said. Four former Turkish MPs face similar charges. (AP)

Reindeer starve

MOSCOW: Some 3,000 reindeer have starved to death in the Siberian Arctic and a further 150,000 — up to half the herd — may perish because their pastures are icebound, the news agency Tass said. (AFP)

Mir space walk

MOSCOW: Two Russian cosmonauts left the orbital station Mir to install more solar panels in an effort to stop occasional power failures. John Blaha, a US astronaut, remained inside. (AP)

Suicide bid

BOCHUM, GERMANY: A German reptile-fancier was very ill after trying to commit suicide by allowing a venomous South African snake to bite him, police said. The snake was being cared for. (AFP)

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Boutros Ghali: vetoed by the Americans

African states end support for UN leader

FROM JAMES BONE
IN NEW YORK

AFRICAN nations have dropped their unanimous support for Boutros Ghali's bid for a second term as United Nations Secretary-General, throwing the race open to African candidates.

President Paul Biya of Cameroon, the current head of the Organisation of African Unity, has written to other African leaders asking them to nominate Africans. Mr Biya's letter breaks the stalemate that has existed since the United States implemented its veto in the UN Security Council last month to stop Dr Boutros Ghali serving another five-year term.

As precedent dictates that each continent should get two terms as UN chief, the 15-nation Security Council has agreed, at least initially, to consider only Africans for the post.

Diplomats now expect at least five African candidates to come forward: Kofi Annan, the Ghanaian head of UN peacekeeping; Salim Salim, the Tanzanian who runs the OAU; Hamid Alibaudi of Niger, who is head of the Organisation of the Islamic Conference; Amara Essy, the Foreign Minister of Ivory Coast, and his Senegalese counterpart, Moustapha Niasse.

Despite pressure for the UN to name its first female head, no African woman appears ready to run.

Grace Machel, the widow of the former Mozambican President and the current partner of South Africa's President Mandela, is mentioned with increasing frequency but is said to be reluctant to seek the post.

A decision on the appointment is required by the end of the year. If no African emerges with sufficient support, the contest will be opened to non-Africans and the attention will focus on candidates from Asia.

Leading article, page 17

RAF finds little trace of 'refugees'

Britain calls off alert for relief mission to Zaire

BY MICHAEL EVANS, DEFENCE CORRESPONDENT

HUNDREDS of British troops on short notice to leave for Zaire have been stood down after an RAF Canberra reconnaissance aircraft flying over the region found no evidence of the reported 500,000-700,000 "missing" refugees.

The Canberra team, taking high-resolution photographs from 15,000ft over a wide expanse of eastern Zaire, found only one large concentration of refugees, about 150,000 west of Lake Kivu, near the village of Kilambo.

The Canberra team, taking high-resolution photographs from 15,000ft over a wide expanse of eastern Zaire, found only one large concentration of refugees, about 150,000 west of Lake Kivu, near the village of Kilambo.

However, one defence source said: "Judging by what the Canberra team discovered, I don't think it's likely that we'll be deploying a lot of troops to the area."

Apart from the large concentration of 150,000 refugees at Kilambo, the RAF team also came across much smaller pockets of refugees, increasing total numbers to about 200,000.

However, the defence sources said it was difficult when analysing the pictures to distinguish between locals and refugees when the photographs showed clusters of people in "marker" areas.

The Canberra team of about 40, backed up by three Hercules aircraft, has faced extraordinary difficulties in carrying out its task. Apart from the onset of the rainy season, the Canberra's take-offs from Entebbe have been limited by a migration of thousands of bats in the area, and when they reached eastern Zaire, the RAF crew had to fly through dust caused by the eruption of the Nyamulagira volcano.

There has also been concern over anti-aircraft fire. The American P3s came under fire last week which persuaded the Canberra team to remain flying at 15,000ft and not to drop to 10,000ft.

The RAF Canberra PR9, which takes 700 photographs per sortie, has been flying over eastern Zaire for more than a



Tutsi rebels seize key town on Congo

BY SAM KILLEY
AFRICA CORRESPONDENT

TUTSI rebels in eastern Zaire, backed by Rwanda, claimed yesterday to have swept into Kisangani, a key town controlling the Congo River and Zaire's most important communications link.

John Kabunga, a commander in the rebel alliance, said rebel soldiers had entered the city, founded a hundred years ago by the British explorer Henry Morton Stanley. He said they had faced stiff resistance from

extremist Rwandan Hutu militiamen fighting alongside Zaire's ragtag army for several weeks.

"Our forces are now in control of parts of Kisangani. We went there by bypassing the town of Walekale, which is still giving us problems," Mr Kabunga said.

The fall of the whole of Kisangani looked imminent. Its capture would be the latest in a string of victories for the rebels who already control North and South Kivu provinces. They have vowed to march on to

Kinshasa, the Zairean capital, to depose the regime of ailing President Mobutu who is convalescing in the south of France after treatment for prostate cancer.

If the rebels manage to hold Kisangani, formerly known as Stanleyville, they will be able to lay siege to Kinshasa.

The capital relies for much of its food from the Kivu provinces and on the Congo for contact with the interior of the country.

Mr Kabunga said there was still fighting around Walekale in Masisi, a rich agricultural

area 150 miles southeast of Kisangani, but that this area had been bypassed by his commandos, many of whom were trained in Rwanda and are dedicated to annihilating the Interahamwe — the extremist Hutu responsible for the 1994 genocide in Rwanda.

The loss of Kisangani would not only be a major blow to Zaire's crumbling Government, but a significant embarrassment to the French Government which had been asked last week by President Mobutu to help to recruit mercenaries to secure the city.

Critics have charged that the police themselves are involved in drug trafficking and shot the men out of fear of being found out if their case came to court.

Dead man at his own funeral

Manila Isidro Catarsi turned up at his own wake at the weekend, startling his wife, parents and mourners, who fled. Confusion arose when the family mistakenly claimed the corpse of a drowned man at a funeral parlour believing it to be Catarsi. Now police say that neighbours are demanding that his family return the money they donated for his funeral. (Reuters)

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Tiananmen commander to call on Clinton

FROM MICHAEL THROBOLDOU
IN HONG KONG

CHINA'S Minister of National Defence, General Chi Haotian, starts an official visit to the United States tomorrow. Few Americans know, and are not being told, that he commanded the army during the Tiananmen Square killings in June 1989.

The American official biography of General Chi, compiled by intelligence sources and distributed by the Defense Department for public information, traces his life from his birth in 1929 to a peasant family, through his promotions during the Cultural Revolution and appointment as Chief of the General Staff from 1987-1983, to his present post in 1993.

But the handout neglects his operational control on the night of June 3-4, 1989. According to an American army biographical handbook, General Chi, as Chief of Staff, commanded well over 300,000 troops from 14 army groups and two airborne brigades during the operation in which many hundreds of people in and around Tiananmen Square were killed and many more wounded. These facts are also omitted from his official Chinese biography.

Tiananmen is a sensitive subject with many Americans and his hosts are eager to minimise General Chi's role. During his visit he will meet President Clinton and other top officials. Two previous planned visits, in 1995 and the spring of this year, were cancelled because of Peking's manoeuvres off Taiwan.

Beirut gambles on being playground of the Middle East as casino reopens

FROM MICHAEL THROBOLDOU
IN BEIRUT

SIX years after the militiamen, kidnappers and car bombers went into retirement, the Middle East's most famous casino and glitziest symbol of Lebanon's heyday reopens tonight. It has taken a \$30 million facelift to wipe away the damage inflicted by 15 years of civil war.

Despite ongoing battles in southern Lebanon and daily exchanges of bellicose rhetoric between Syria and Israel, officials say serious gamblers are queuing up to try their luck at the resurrected Casino du Liban, where celebrities such as Frank Sinatra and Charles Aznavour entertained high-rolling Arab oil sheiks and European jet-setters.

"We've seen huge interest from the Gulf Arabs," Nicholas Crabtree, the casino's vice-president, said. "It's just a matter of time before the cruise ships turn up here like they did in late shipping magnate Aristotle Onassis's day when we had stars like Brigitte Bardot and Sophia Loren."

Observers insist that paroxysms in the Middle East peace talks will not harm business at the casino, a rarity in the Arab world where Islam forbids gambling.

"Gambling breaks all social, political and ethnic barriers as everyone tries to beat the house," Mr Crabtree said. He is a Londoner and one of about 20 British on the gaming staff of 54 directed by London Club International, which stages the gambling.



"Gaming breaks all social, political and ethnic barriers as everyone tries to beat the house," Mr Crabtree said.

The history of the Casino du Liban, which first opened in 1958, tells a similar tale. When civil war erupted in Lebanon in 1975, Muslims and Christians who battled by day crossed the sectarian divide to gamble at night. Only in 1989 did the roulette wheels grind to a halt — a year before the war ended, when militiamen shelled the complex.

It has taken 18 months to renovate the shrapnel-pocked building. Now there are 60 gaming tables offering roulette, blackjack and stud poker.

Professional gamblers, who can afford to lose \$20,000 (£12,000) a night, will be invited to three private rooms where a minimum bet is \$150. Lebanon, however, needs to declare they earn \$12,000 a year, which will put the vast

majority of them from the gambling tables. But the 320 slot machines are open to all.

Mr Crabtree expects profits in the first year to reach \$18 million. These will increase next year when a 750-seat restaurant with facilities to stage international shows is completed.

In its glory days, when the casino rivalled Monte Carlo and outshone Las Vegas, Miss Europe was crowned here for five consecutive years. The last phase of the renovation project will include a 150-bed, five-star hotel.

The casino is being promoted as a symbol of Lebanon's phoenix-like revival. But many Lebanese are unconvinced that they will gain from such prestige projects. A third of the three million population live below the poverty line, according to a

United Nations study. Last week, while dozens of workers were putting the finishing touches to the casino's inauguration by President Hrawi, hundreds of Lebanese protested in the streets after trade unions called for a strike. The demonstrators were dispersed by riot police.

Leading article, page 17

How near we are to the cure... depends on you

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Clinton's drift to the Right seals fate of liberalism in America

FROM BRONWEN MADDOCK
IN WASHINGTON

AS PRESIDENT CLINTON turns to the business of selecting his new Cabinet, postponed over Thanksgiving, those who have made a career out of liberal politics are wondering whether it is time to leave Washington. The word has gone out there is little point in liberals applying for jobs in this Administration.

Warning bells sounded for them when Mr Clinton replaced Chief of Staff Leon Panetta, a liberal Californian, with Erskine Bowles, a conservative from North Carolina. Harold Ickes, a noted New York liberal and one of Mr Clinton's most trusted fixers as Deputy Chief of Staff, is leaving for home now that his

chances of a Cabinet role have vanished. Janet Reno, apparently secure as Attorney-General while inquiries into the Clinton finances continue, remains the sole liberal voice from the first term.

More generally, Democrats as well as Republicans are arguing that Clinton's re-election on a strikingly conservative platform, plus the election of a more right-wing Congress, confirms the country's long-predicted shift to the Right. Liberalism of the brand which flavoured the 1960s and 70s is dead.

There is much truth behind the liberals' lament. For years, conservatives have blamed liberal social attitudes for the nation's woes. Robert Bork, the Supreme Court candidate who was rejected after a bitter-

ly contested nomination, in his book *Sloshing towards Gomorrah*, accuses liberal attitudes of encouraging "a nation of culturally corrupt citizens who have abandoned ideas of religious faith, respect for law, hard work and family".

What is new is that these voices have been joined by others on the left of the spectrum. Senator Daniel Patrick Moynihan, the figurehead of Washington liberalism, attacks "many liberals" in his new book for holding that mental illness and single-parent families were not problems, simply choices of lifestyle.

Even more damaging for left-leaning politicians, the term "liberal" has become associated with unpopular economic policies: high taxes and defence cutbacks

used to pay for big government social programmes. The growth of the middle class has made these policies electorally disastrous. The offspring of blue-collar immigrants who made up the backbone of Democratic support have settled in the suburbs and are worried about job security and school fees. The result is that "liberal" has become a dirty word. Voters prefer to hear a message of hard work and individualism.

Mr Clinton was re-elected partly because he was alert to the rightwards-shift in the political climate, denying fervently that he was a liberal in televised debates before the election. That is not a new incarnation. The images of him avoiding conscription, raising a marijuana joint to his lips, and wearing a beard while at Oxford are deceptive. He has built his political career on a pragmatic courting of the Centre. He has now signed a Republican-backed welfare Bill which undercuts six decades of social welfare provision.

However, there is one prominent exception to the rejection of the 1970s liberal agenda by voters and the Clinton Administration: the race issue. The O.J. Simpson trials and the "Million Man March" of black men in Washington are a reminder of the deep divisions in American society. Many still look to Government and the courts to solve them — witness Texaco's offer of more than \$100 million (£60 million) to settle a charge of discrimination.

In his campaign, Mr Clinton preached loudly a message of inclusiveness: "If you believe in the Declaration of Independence, and you turn up for work and do your share, we don't need to know anything else about you — you're part of our America." This was very different from Republican candidate Bob Dole's refrain that hard-working middle-class people should not have to pay for immigrants and the unemployed.

Mr Clinton may be one of the few Democratic Presidents to consider the tag of "liberal" slanderous. But in his message that government is responsible — and capable — of promoting social harmony, he preserves one strand of the 1970s liberal agenda.

Germans confront role of Jews in Nazi war machine

FROM ROGER BOYES IN BONN

VOLKER RÜHE, the German Defence Minister, yesterday opened an exhibition which tackles for the first time the Jewish contribution to the German and Prussian armies — a highly sensitive topic which is likely to fuel an already fierce debate about wartime anti-Semitism.

At the beginning of the exhibition, organised by the Military Historical Research Institute in Potsdam, there is a picture of a shopkeeper, Richard Stern. The date of the photograph is April 1, 1933 and the Jewish merchant is protesting against the boycott of Jewish shops in Cologne on his chest he wears an Iron Cross won during the First World War.

This image dominates not only the exhibition, but the

whole debate as to how Germany could so readily assimilate Jews — to such an extent that 100,000 fought for them in the First World War — and then in a few decades banish them from society and murder almost the whole community.

Adolf Hitler embodies this paradox. A new book by Dr Brigitte Hamann, *Hitler's Vienna*, shows convincingly that Hitler's hatred for Jews was not hatched during his early years and that it was rather a political device aimed at drumming up a mass movement.

Hitler, according to Dr Hamann's research, had Jewish friends, patrons and customers for his drawings, and admired Jewish actors and composers. There is, at least

one proven case of him protecting a Jewish friend. His old family doctor, Eduard Bloch, was allowed to carry identity papers and when he eventually emigrated to the United States, was allowed to sell his house at a proper market price. Other beneficiaries included Maria Almás-Dietrich, twice married to Jewish men who sold over 270 paintings to Hitler.

Whether Hitler protected top soldiers in the same way is unclear. There were protective networks in each of the German military institutions. The Luftwaffe — and not only Field Marshall Erhard Milch who was protected by Hermann Goering — contained a number of Germans of Jewish descent. In 1940 soldiers with two Jewish grandparents were expelled from the army and the order was repeated in 1942, 1943 and 1944.

But those with only one Jewish grandparent were usually allowed to continue in the army, although generally barred from entering the officer corps. Some — including former Chancellor Helmut Schmidt — slipped through the net, despite their Jewish grandfather. Herr Schmidt became a lieutenant in the artillery.

Few Germans in wartime were immune from investigation of their ancestry. Even Reinhard Heydrich, the tall, Nordic-looking head of the Reich Security Service, was frequently accused of having a Jewish father.

Again and again he brought legal suits against anyone who claimed that he had Jewish blood.

Hitler and Heinrich Himmler, overall head of the Nazi police machine, were aware of the doubts about Heydrich's ancestry but did nothing; he

was regarded as too useful

and, until his assassination in Prague in 1942, was utterly ruthless towards Jews. Since the Gestapo was the supreme arbiter of Jewish ancestry, exceptions could always be found and biographies faked.

Two debates have been opened in Germany and both have begun to touch on the most sensitive of subjects. The first concerns Hitler: if doubt can be shed on his early anti-Semitism, can doubt also be

cast on his personal involvement in the Holocaust? The German historian Joachim Fest (who argues that Hitler was intimately involved in, and gave the direct order for, the elimination of the Jews) is feuding with Hans Mommsen, who claims that the Nazis drifted towards the Holocaust.

The second great debate which has now begun concerns the identity of Jews in Germany. Naval Captain Frank Noegler, the military

historian who researched the exhibition on German-Jewish soldiers, claims that German Jews regarded service in the Prussian army as a way towards gaining full civic equality and demanded the right to participate in national military service.

Most Jews who served in the wartime German army did not regard themselves as Jews, but as Germans; some may not have been aware of their Jewish ancestry.

Student unearths service records

BY KARENNE JENKINS

AN American studying history at Cambridge University has unearthed documentary evidence about German Jews who served in Hitler's army.

Bryan Rigg, 25, has uncovered papers suggesting that thousands of soldiers with one Jewish parent or grandparent fought for the Nazis.

Many of Hitler's highest-ranking officers were termed under the Nuremberg Laws as *Mischlings* — those of mixed race. The German Army personnel office in January 1944 knew of 77 "high-ranking officers of mixed Jewish race or married to a Jew" serving in the Wehrmacht.

Hitler knew of the Jewish origin of many officers —

some of them highly decorated — because he signed documents declaring them to be of "German blood". Their futures would be looked at again after the war.

Mr Rigg, a Texas graduate of Yale University, has tracked down through their individual records of soldiers with some Jewish parentage.

However, some historians dismiss the findings and claimed they presented nothing new. Dr Anthony Glees, of Brunel University, said: "Senior historians have known really ever since the Nuremberg laws were promulgated that there were different categories of 'bastards' or 'monstros', as the Nazis called them, who were treated differently."

US villagers reap lottery harvest

BY QUENTIN LETTS

A DUSTBALL Texan cotton village which until last week was "dying on its feet" has been transformed by a lottery win into Lootsville, USA.

Forty-three of the 616 citizens of Roby, a township 120 miles west of Fort Worth, learnt that they will share \$50 million (£29 million) after their numbers came up in a pooled lottery ticket. Roby has gone from being a no-chance roadside station where even the tumbleweeds would not linger to the place with the most millionaires per capita in the entire United States.

Their Whisky Galore-style transformation has created a national sensation. For the first time in two years, some of Roby's hard-pressed townsfolk have been able to straighten their stetsons and dine out. The local First National Bank of Sweetwater has become a scrum of flushed-faced investors.

The win could not have been better timed for the many farmers who at the end of November paid \$10 apiece to join a one-off lottery co-operative. This year's weather has been the unkindest for more than 30 years, and many locals feared bankruptcy.

Security blueprint seeks accord on fixed troop levels across Europe

BY MICHAEL BINTON
DIPLOMATIC EDITOR

MORE than 50 European nations agreed yesterday to amend a keynote disarmament agreement to take into account the collapse of communism and the end of East-West confrontation.

At the same time, they were warned, by Russia of the dangers of Nato going ahead with its proposed expansion. And they voiced almost universal criticism of Belarus, warning Aleksandr Lukashenko, its autocratic President, that he was leading his country into dictatorship.

John Major joined leaders of 54 countries at a summit in Lisbon of the Organisation for Security and Co-operation in Europe in drawing up a security blueprint for the next century. One of their main proposals is that the Conven-

tional Forces in Europe treaty, a keynotes arms control agreement signed in the dying days of the Soviet Union, should be changed to take into account the dissolution of the Warsaw Pact. In future, the summit agreed, there would not be

bloc-to-bloc limits on troop levels, but new national limits for each country fixed within new geographic zones. Detailed talks will begin next month and will probably last 18 months.

Many countries at the summit, including Britain, expressed concern at the rising tension in Serbia. Carl Bildt, the Bosnian peace co-ordinator, yesterday gave a strong warning to President Milosevic of Serbia to drop a threat to crack down on the huge street protests in Belgrade. He said that the political crisis there could damage efforts to bring stability to former Yugoslavia.

The Foreign Office criticised the annulment of the local election results, and said it was "disturbed" by the Serbian Interior Minister's statement that the Belgrade police had been "more tolerant than required".

Viktor Chernomyrdin, the Russian Prime Minister, told the summit that Nato would create new fault lines in Europe if it went ahead with the admission of new Eastern European members. Western leaders said his tough language was expected, and America and Javier Solana, the Nato Secretary-General, insisted the alliance posed no threat to anyone.

Both Mr Major and Malcolm Rifkind, the Foreign Secretary, warned Benjamin Netanyahu, the Israeli Prime Minister, that Israel should redouble its efforts to reach agreement on its withdrawal from Hebron. Mr Netanyahu is attending the summit together with other Mediterranean leaders, as well as government heads from South Korea and Japan which have insisted on being present at the summit.

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The new heavyweight champion, Holyfield, ranked number six in the Forbes list, earning \$155 million. Holyfield, a devout churchgoer, gives heavily to charity. Both he and Tyson can look forward to even bigger pay days if promoters can organise a rematch.

Sports stars' earnings have rocketed on account of increased competition between television companies to cover sporting events. A boy who grows up in America today with an ability to run fast, jump high or punch hard can nourish dreams of becoming within a few years one of the world's richest men. Sports stars have

learnt to groom their public appearances like rock stars. The publicity-hungry Dennis Rodman, a basketball player with the Chicago Bulls, dyes his hair outrageous colours, argues with umpires and dates beautiful women. His reward: a ninth placing with earnings of \$12.9 million.

The veteran golfer Arnold Palmer came eighth in the Forbes list, earning \$15.1 million — only \$100,000 of it in prize money. The rest came from his adroit striking of sponsorship deals. In the same sport, the newcomer Tiger Woods earned an astonishing \$8.8 million, although he cannot yet boast as a true master of his sport. He owed his earning capacity to an engaging manner and the fact that he is one of the few black golfers on the professional circuit. No women appeared on the top 30 list.

Tyson scores knockout £45m in earnings

FROM QUENTIN LETTS
IN NEW YORK

MIKE TYSON, the boxer who lost his heavyweight title to Evander Holyfield last month, was the highest-earning sportsman in the world last year.

Tyson's earnings for the past 12 months, including prize money and endorsement deals, were estimated at \$75 million (£45 million). This put him comfortably ahead of the number two money-winner, basketball's Michael Jordan, who earned \$52.6 million. Third was the only European in the top 30 sports millionaires, the German racing driver Michael Schumacher, with \$33 million.

The top British sportsman on the list was Damon Hill, the world champion Formula One racing driver, in thirty-fourth place with \$8.2 million. The

estimates produced by the New York-based financial magazine *Forbes*, showed a preponderance of athletes from the big three American sports — basketball, baseball and American football — and from boxing.

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Sports stars' earnings have rocketed on account of increased competition between television companies to cover sporting events. A boy who grows up in America today with an ability to run fast, jump high or punch

Valerie Grove on why Griff Rhys Jones abandoned history for the stage and became a Lost Boy

'Others went off and took adult jobs. I'm still mucking around'

D'Arcy Tuck, the twitish upper-class schemer Griff Rhys Jones plays in the revival of Ben Travers's farce *Plunder*, first enters "with a motor-coat and carrying a cap". How apt for Rhys Jones, who so immortalised the swaggering Mr Toad in *The Wind in the Willows*. But then he comes offstage after the rehearsal carrying a bright orange anorak. Goin' roadbuildin'? I ask. He gives a laugh that sounds (Arf Arf), exactly like Basil Brush. Later he puts on this anorak to get into my car and I see it is not a piece of stage wardrobe, but a new coat he is rather proud of, useful for driving his tractor in Suffolk.

Rhys Jones's amiable comic characters have earned him a comfortable life, involving country weekends. "You can't take the bourngeon out of the man," he says, happily. He and his wife Jo, and children Catherine and George, live above a former machine-tool factory in Clerkenwell, which now sells lingerie to men in discreet dove-grey suits every Friday. The whole family hurries off to Suffolk.

The Rhys Jones comic voice can veer between Estuary (for laddish Smith and Jones sketches) and posh. For D'Arcy Tuck it is posh Woosterish. Having read *Plunder*, a 1928 comedy with the usual period nuances in volving class, I conclude the as with all farces, it only work in performance, so you really have to be there — at the Savo Theatre.

Something funny happened the last time he was due to star at the Savoy, in 1990. It was another Ben Travers play, *Thark*. After an eight-week tour, just before the London opening, the Savoy Theatre burnt down. So Thark became one of his great unseen triumphs. He never met Ben Travers, but his friend Craig Brown did. "Travers was 9, and told Craig he would walk up every morning and say 'Not again! Arf Arf!'"

Rhys Jones, veteran of Ayckbourn, Feydeau, Char-

ley's Aunt and An Absolute Turkey, loves farce. "The actual mechanics of farce are part of its delight. It's a very theatrical experience, very manipulative. Did you see *See How They Run*? Its central conceit is to have eight paratroopers disguised as vicars. And a dog. Utterly brilliant. People who don't like farces," he adds, "are rather hopeless people, don't you think?"

But it can be touch and go. "Sometimes an audience gets on the train, and other times the train chuffs out of the station and by the first interval we realise we've left the audience on the platform. With *Arturo Ui*, we had fantastic audiences in previews, and then on the first night I could actually hear the rustlings and shufflings."

"And a royal Prince" — Edward it was — "came backstage and said 'You seemed to be enjoying yourselves more than we were.'" (More Brush-like Arts.) "Then his auntie came later, and she greatly enjoyed it."

Behind Rhys-Jones's fizzing bonhomie there seems to be no sign of

close melancholia. He lost 2lb last year, entirely without trying; luckily, being on tour meant he could get to the shops. In Newcastle he bought a new blue velvet suit.

"Now I've become an actor," he says, "perhaps I should revert to Griff. Being called Griff is a barmy isn't it? But there was already a distinguished fruity-voiced actor named Griffith Jones." Although brought up in England, Griff was born in Cardiff in 1953, son of a chest consultant. He called his Welsh grandparents Nain and Taid.

From Brentwood School he found himself at Cambridge "with a clutch of other grammar school boys from the M25 circuit" reading history at Emmanuel. "Nice Wren buildings, but a bit dull until Norman St John-Stevens made it more colourful, Arf Arf!"

He abandoned history, having discovered that no longer could one be cavalier with facts, as at school, but that one was obliged to write sociologically about the three-field sys-



"Now that I've become an actor perhaps I should revert to Griff. Being called Griff is a bit matey, isn't it?"

tem in Lincolnshire in 1920. Since he was more amused by plays, as president of the Amateur Dramatic Club, he switched to English — in the thick of the structuralism debate over Colin MacCabe.

"Charming fellow, and a huge enthusiast for any barney theory that came along."

The BBC discovered him at the Edinburgh Festival, directing a show called *Tag* with Nick Hytner. They made him a radio producer, until John Lloyd brought him into *Not The Nine O'Clock News*.

"We all ended up in the same snakepit," Rhys Jones says, of Footlight contemporaries Clive Anderson and Rory McGrath. "So there

seemed no break between university and real life. Others went off and took jobs and led a proper adult life but we've all just gone on like the Lost Boys, continuing to muck around in our mid-forties. And then you meet John Bird and think 'Well you're still mucking around as well, 20 years on. When are you going to get a proper job?'

As a child he admired Charlie Drake, who was then half of a Fifties slapstick duo called Mick and Montmorency. Male comedy thrives in pairs, and the double act of Rhys Jones and Mel Smith, born in the early Eighties, has never gone away; they can still be heard on Radio 2. Last Saturday there was a very funny sketch about bird songs.

Playing Mr Toad at the National was, he says, the nearest thing to giving his Hamlet. I am surprised that Terry Jones did not ask him to play Toad in his film. Rhys Jones told me how the two met in Groucho's by chance. "H-

aving taken late to motor-

ing he has a penchant for classic cars. "It immediately appealed to me, the aura of tastefulness, elegance and other-worldly romanticism — like the people who own beautiful old wooden boats and wear Breton fisherman's hats."

The only thing that worries him about his childhood is that it isn't boring enough:

"I remember my childhood being full of the most excruciating boredom, punctuated by Hancock and Monty Python."

... and Jones Superior.

From *Not The Nine O'Clock News*.

From

The strong pound is bad for Britain

A hard currency is not a virility symbol, says Anatole Kaletsky

In the coming weeks you are likely to hear more and more from Britain's businessmen and economists about the "sterling problem" or even, depending on the excitability of the commentator, about the "sterling crisis". These comments will seem odd, since they will appear on the business pages alongside reports that investors around the world are snapping up sterling assets and that the pound is rising to its highest level for years. Yesterday's news afforded an early example of this juxtaposition: just as sterling hit DM2.60, the closely followed Purchasing Managers' Index warned of a slowdown in manufacturing and a fall in export demand.

To economists there is nothing surprising about the business community's fear of a hard currency: a strong pound makes British goods more expensive for foreigners and imports cheaper for Britons. As a result, British consumers buy more imports, while British manufacturers find it harder to sell abroad. Eventually the trade deficit expands, British companies lay off workers, unemployment rises and interest rates decline, causing the pound to fall. But this process can take years, and meanwhile jobs are lost, businesses bankrupted and factories closed.

Deflation means weak currencies are what is required

In the two decades since the world began to live with floating currencies, this process has become clear to economists and businessmen. In the last few years it has been grasped even by politicians, which is why a weaker currency has been adopted as a policy objective by almost every government in the world. America, Japan, Switzerland, France, Italy, Canada and most recently Germany have taken deliberate steps to weaken their currencies. Devising such a soft-currency policy for Britain ought to be the Treasury's top priority, yet to most people in Britain the idea of deliberately undermining sterling seems unprincipled and absurd.

The British have learnt to envy the Germans, Swiss and Japanese, whose hard currencies have become symbols of economic virility — and to feel ashamed of their own limp and shrivelled pounds. What Britons do not realise is that these hard currency countries have been trying desperately to make their currencies "soft". Japan and Switzerland are doing this by keeping interest rates at ridiculously low levels (at 0.3 per cent and 0.8 per cent respectively); Germany by merging the mark into the new euro, which despite protestations to the contrary is bound to be a "soft" currency with more in common with the franc and the lira than the mark.

So why do British politicians find it so difficult to say openly that they want the pound to weaken? And, why, for that matter, do the Germans bother to deny that they want a soft euro?

There are three possible answers: the economic, the logical and the semantic-metaphorical. Economics shows

that a strong currency has benefits as well as costs. It can combat inflation and increase a nation's standard of living relative to its neighbours. But these benefits outweigh the costs only in a period of general inflation (such as the 1970s and early 1980s, when Germany and Japan pursued strong currency policies to excellent effect) or when a nation is at or near full employment (which is why America is the one major country today where the Government quite sensibly wants a strong currency). For Britain, with unemployment still at two million and concentrated among blue-collar workers, there is certainly no economic benefit from a strong pound.

The logical objection to a weak currency policy is that if some currencies are falling, others must be rising. It is impossible for all of them to be weak. What this objection ignores is Keynes's classic distinction between the intentions of economic policy and the outcome. It is certainly true that not all nations cannot have weak currencies at once. But this need not prevent them all pursuing weak currency policies, which would accelerate monetary growth and increase world demand. At a time of global inflation, such policies would be dangerous. When the main economic problems are deflation and mass unemployment, weak currency policies around the world are exactly what is required.

This leaves the purely semantic objection. Economic policy, like European diplomacy, is all too often dominated by metaphors as a substitute for logic. Among politicians especially, the instinctive, subliminal link between words like strong, hard and good is almost impossible to overcome.

The German Government and the Bundesbank are still in the habit of declaring that "a hard Deutschemark is a good Deutschemark". And even though the German policymakers clearly no longer mean what they say, it somehow seems easier to point out that their slogan is utter nonsense.

People seem to take it for granted that something described as hard or strong must be healthy and virile. Yet all that is strong is not good: sailors avoid strong gales. The word "hard" has even more negative connotations. A hard punch on the nose is more unpleasant than a soft one, and hard drugs should definitely be shunned.

As for the psycho-sexual associations of hardness, try the following thought-experiment when you next hear a central banker boasting about a "hard" currency. Do not allow your mind to be steered towards a phallic symbol; think instead of another biological example of hardness — a malignant tumour. That is how Swiss, Japanese and German exporters have learnt to feel about their hard francs, yen, and marks.

Jack Rabinowitz, the solicitor who made history by getting compensation for a boy whose school failed to stop him being bullied, is now taking on two cases of 17-year-olds suing their old school — an institution panned by the inspectors — for failing to get them the GCSEs they "deserved". Their suit is for the cost of retaking exams and for loss of earnings. For some unaccountable reason Mr Rabinowitz seems to have forgotten to add £30,000 for the

GIN & TONIC LANE

Peter Brookes after Wm Hogarth



As our children see us

Suing for failure to pass exams will not give pupils a proper education

WHAT a relief it was, after one of those curious dreams of being young again, to wake up in the morning and find myself 46. It must be very worrying to be a child these days. You must sense that you are generally perceived to be either a pathetic victim or a loose cannon; if a boy, you are expected to turn violent any minute; if a girl, to get pregnant and live off the State.

Yet at the same time you are envied: your insignia of silly caps worn backwards, dishevelled and surly manners are mimicked by supermodels and TV presenters years past puberty. Your toys are pinched by executives. All around you is a sea of self-indulgent adults, every one of whom is struggling to get in touch with the inner child, while barely noticing you, the outer one. On top of all this, every time you open a newspaper in an attempt to understand the adult world you are confronted with still more evidence: the most rapidly growing social group are voluntarily childless couples, newspaper columnists wall-writings about the frightful trouble you cause them, and fertility campaigners emphasise the adult's "right" to have sweet little babies. Bundles of joy-moppets, not great big worrisome children like you.

I leave aside, for the moment, this week's somewhat sweeping announcement from a gang of psychologists that 40 per cent of children suffer mental health problems ("however transient"). That, while perhaps justified as a shock tactic to improve necessary child psychiatry services, will have the side-effect of putting the wind up the large group who spend their first eighteen years convinced they are going mad (I certainly did). Far more sinister even than that, for this national 12-year-old reading the morning paper, is the latest news from the wonderful world of compensation lawyers. This could be the final straw.

Jack Rabinowitz, the solicitor who made history by getting compensation for a boy whose school failed to stop him being bullied, is now taking on two cases of 17-year-olds suing their old school — an institution panned by the inspectors — for failing to get them the GCSEs they "deserved". Their suit is for the cost of retaking exams and for loss of earnings. For some unaccountable reason Mr Rabinowitz seems to have forgotten to add £30,000 for the

trauma, humiliation and mental distress caused by Certificate Deficit Syndrome.

Shock, horror. Teachers' unions

talk of madness and of floodgates;

inspectors are dismayed at such a use

being made of their strictures;

schools are warned to take out

insurance. If the case succeeds, the

Government is said to be prepared to

act quickly to prevent a flood of

others. Perhaps it should encourage

schools to sue parents in return for

not supervising homework or enforce-

ing bedtimes, and so making children

so stroppy that they spoil every-

body else's chances.

(Oh no, silly me! Of

course that would

never do. The par-

ents would not have

the money, whereas

the public purse

is deemed to be

brokeless.)

I have to admit

that I agree with the

general outrage at

this larky new idea of failed ex-pupils

suing education authorities. But then

I also happen to take the extreme and

grumpy view that it is wrong, tasteless

and decadent for individuals to

sue hospitals and emergency services

for trauma and distress or even honest

mistakes. Two wrongs do not

make a right: impoverishing any

non-profitmaking public service sim-

ply to assert your own woundedness

is not attractive.

In the case of schools, though,

the really alarming thing is the message

it delivers to this questing 12-year-old

reading the morning paper. Far from

empowering the child, actions like

this reinforce a dreadful passivity.

These claimants are asking educational

psychologists to test them and

prove that they "deserve" good

exam results, which should have

been duly "delivered". As in produc-

tion-line bakery, the school should

have poured the correct mixture into

the waiting vessel, stirred it to a

regulation number of times, and thus

ensured that the cake would rise to a

specified height. It must be very

disheartening, at 12 years old, to be

encouraged to think of yourself as an

empty cake-tin.

Besides, what about parents? Par-

ents lay the foundations of your

life. Children know this, just as

they know that they are programmed

to grow away into independence

as they make the connection very early.

My daughter once rounded on me

angrily at four years old when some

simple task proved beyond her: "It's

your fault; you didn't grow me up

properly!" At least as many children

are let down by their mothers and

fathers as by schools: emotionally,

socially, educationally.

Where, I should like to know, were

the parents of these two current litigants

for five years while their off-spring

were learning nothing? Easy enough to say that the school reports

looked fine and that it is impossible for

any people to understand modern cur-

ricula, new maths and so on. But come

off it, one of these pupils had no

passes at all. If, on present standards,

a child of normal intelligence can't

even get one low-grade GCSE, that is

a very, very ignorant child indeed.

Any parent bright enough to employ a

lawyer should have spotted that

degree of rot years ago.

They exchange cogent and pitiful

comments on their teachers' ability.

He's past his peak, he ought to be

running a leisure centre like the

Britas Empire. Then he could read

his fitness magazines all day without

having to give us copy to do in

class time"; "Miss X is a raver... I read

two chapters ahead in the history book

too"; "His worksheets have got

1964 in the corner. He hands them

out, then listens to the cricket on

headphones and says he's stressed."

Oh yes, pupils know a dull, doughty

teacher when they see one, and an uncomf-

ortable lazy one too. When they

report these dead batteries to their

parents, they should not meekly re-

signified shrug or disbelief: the par-

ents ought to turn off the telly, listen

believe them, gather corroborative

evidence, compare notes with other

parents, and present their case to the

head.

There is a false perception, caused

by the predominance among journal-

ists of nervy north London parents

that this already happens. Because

there are more parents than teachers to

complain early and loud. It can be done.

As we all know, teachers from

good schools are better teachers than

those from poor schools. So, if you</p

WORLD
SUMMARY
Call for
Car crash
Envoy
face trial



ALL AT SEA

Time for Britain to help push out the UN lifeboat

The rusty old liner lost its bearings months ago. In winter seas, it is shipping more and more water. They are playing cards in the engine-room because no orders are coming down from the bridge. Both crew and passengers know that the captain became fatally incapacitated months ago. They are waiting for one of his relatives to volunteer for his job, although there is no logical reason for keeping it in a family not noted for outstanding seamanship. The relatives have anyway been dithering, arguing that the ship's doctor must first pronounce the captain dead. Stand by for the Lutine bell.

Thus is the United Nations preparing to enter the 21st century. Five months ago, the United States announced that it would veto the bid by Boutros Boutros Ghali, the UN's 74-year-old Secretary-General, for a second five-year term. It was the right decision for a host of reasons other than the Secretary-General's advanced age — or even his disastrous mishandling of the UN mission in Bosnia. The UN badly needs a more persuasive voice and more dynamic and flexible management. Mr Boutros Ghali's earlier insistence that he would serve only one term made this the ideal time to break with the damaging convention that election is the incumbent's unwritten right.

But even if America had made the wrong decision, Mr Boutros Ghali was politically dead from June onwards. However much this irritates other states, the UN's authority rests on the readiness of its most powerful member to work with and through it. Washington's power to change things is however limited to the veto; resentment would kill the chances of any candidate it backed. The only sensible response for others was to turn the US veto to good use by finding an outstanding successor; but UN politics are fuelled by pique, not sense. Furtively and foolishly determined to "punish" Washington for exercising its right of choice in the matter, every other member of the Security Council, discredibly including Britain, voted for Mr Boutros Ghali in the first round last month. Worse still, they agreed that if he were to

withdraw, Africa must not thereby be deprived of its "right" to a full ten years at the UN helm. With this irresponsible decision to put political correctness before political effectiveness, Washington has so far publicly agreed. The entirely predictable result has been further damaging delay while the utterly disorganized Organisation of African Unity — which Mr Boutros Ghali, whose spiritual home is Paris rather than Africa, had persuaded that the American veto was an insult to the continent — wrestled with its conscience. Yesterday, the OAU finally allowed some names, none of them inspiring, to go forward to the Security Council.

The timing is not fortuitous; it has been heavily lobbied by France, which is out to slip one of its francophone African clients into the post; and tomorrow in Ouagadougou, France just happens to be holding a high-profile summit with African leaders.

The curtain should be brought down on this farce before it damages the UN beyond repair. The deadline is a mere fortnight away; the General Assembly, which must endorse the Security Council's nomination, is due to shut up shop for the year on December 17. Britain, a permanent member of the Security Council, insists that it has no preference and is happy to sit the game out hoping that some "viable" African candidate — faint ambition indeed — will be found. This attitude is incompatible with Britain's insistence that it is serious about UN reform. Britain should be exploiting its Commonwealth links to sound out Asian capitals on a step that could be presented as a genuflection to geographical "fairness" but would in practice give the UN the strong management it needs. In the rotation of Buggins' turn, Asia follows Africa; and in Sadako Ogata, the highly respected and experienced Japanese UN High Commissioner for Refugees, Asia has a woman who could give the UN the best leadership it has ever had. It may be too late to launch the lifeboat; the attempt may fail; but it is worth a try. If even Britain cannot take this contest seriously, the UN is in miserable shape indeed.

CUNNINGHAM'S NUMBER

Labour has sensible ideas to improve the Lottery

The National Lottery should have been, and still could be, an unloved political success. The ingredients are there: the chance for punters to win money, and the distribution of huge sums to good causes. Within the next few years, there will be fey in the country whose life will not have in some way been enhanced by the Lottery. Yet, despite some desperate defensive advertising, the institution lacks the popularity that it would like.

Some people disapprove of gambling: their doubts will never be assuaged. But other forms of disquiet can be addressed, and many of them deal with in Labour's new report on the future of the lottery, launched yesterday by Jack Cunningham, Shadow National Heritage Secretary.

Two structural problems have added to popular anxiety about the lottery: its operator and its regulation. Camelot is perceived to be making too much money. Every penny that goes into Camelot shareholders' pockets is money that could otherwise have been distributed to good causes. The willingness of Richard Branson to run the lottery without taking a profit has not been forgotten: the type of profit incentive for which Camelot bid was never necessary. Labour rightly wants to see an efficient, not-for-profit organisation running the lottery.

Dr Cunningham also recognises the potential conflicts of interest inherent in the role of the regulator. Of course, Director-General should not both choose the operator and regulate its activities. Nor should he be responsible both for maximising Camelot's profits and representing the consumer interest. These conflicts have already thrown up enough disquieting behaviour to warrant the removal from office of the current Director-General, Peter Davis. Labour suggests that the roles be separated.

Another objection to the lottery is that it is a tax on the poor to pay for the playthings of the rich. This charge has contained a grain of truth. With so many playing the Lottery, many more should reap its rewards. A way of achieving this end is Labour's idea of "Community Chests", allowing sums to be distributed locally for locally determined priorities. Another would be to favour those projects with the highest element of volunteering: the commitment of people's time and energy would demonstrate local support.

Then there is the question of what should be done after the turn of the century with the fifth of the money that now goes to the Millennium Commission. The Government's solution of redistributing the money to the other four good causes shows a lack of imagination. Labour has two good proposals. One is to mark children and young people as permanent beneficiaries. The other interesting idea is to fund projects that may slip through the net of the Exchequer but which can eventually be self-financing. Insulating old people's houses is a "spend to save" measure that pays off in the long run. Training teachers to use information technology bridges a generational gap that will no longer exist when this cohort of schoolchildren become teachers. A "National Endowment for the Arts, Humanities and Science" will produce an income stream to encourage young talent for centuries to come.

This document should be an example to some of Dr Cunningham's colleagues. The thinking is original and mostly sensible. It is pragmatic and consumer-led rather than ideological and friendly to trade unions. In a small part of the Shadow portfolio, Dr Cunningham has shown that Labour can be different from the Conservatives without making itself unelectable in the process.

AND NOW FOR REAL GAMBLERS

The tables of Beirut signal that business is back to normal

The horses are prancing, the girls are dancing and the lights sparkle as brightly as the glitter of the sheikhs' jewelled fingers. After 20 years of drear darkness, the big gamblers are back at their tables. The Casino du Liban, the flashiest and most spectacular pleasure dome east (or west) of Las Vegas, is back in business. Lebanon, once the playground of the rich, the oil-rich and the nouveaux riches has found its soul again. After two decades of banditry and destruction, the resolute Switzerland of the Middle East is again doing what comes naturally: playing host in playboys.

In Monte Carlo, the famed gaming rooms are ruled with the iron restraint of etiquette, snobbery and the merest hint of a croupier's disapproving eyebrow. In Vegas the clunks of a one-armed-bandit army disturb the velvet peace. It was always in the Casino du Liban where French chic met Middle Eastern wealth in sleeveless, hedonistic exhibitionism. The rues who remember Lebanon's sinful Sixties become misty-eyed when they recall the stows of yesteryear, *La Parisienne, Hello and Mais Oui*.

The casino entertainment was intended to dwarf anything that America could produce. Satellites descended from the top of the hall; chandeliers were filled with dancers: a real

train roared across the stage; there were elephants, waterfalls and dolphins. Inaugurated on January 1, 1958, the casino was the natural home of Charles Aznavour, Johnny Halliday, Dalida and their friends.

It all had to end, when the bubble of Lebanon's festering society broke in 1976. The casino tried to carry on, insouciant of the encroaching violence, bloodshed and religious division. But the smart set drifted away, and only the determined Lebanese, manically grinning while their hands fingered the guns beneath their dinner jackets, tried to keep the fun going.

The war is now over, however. The five-star hotels are being rebuilt, the banks are again swallowing up petrodollar deposits and Beirut is one vast reconstruction site. There is a nostalgia for the old days of decadence which an enterprising Briton, the casino's new vice-president, has been quick to fill. A £30 million facelift brand new set of gaming rooms where the minimum bet is £1,000, and the helpful intervention of a Government always solicitous of the needs of the rich, have helped the phoenix arise. A few miles away, Hezbollah may be planning new guerrilla attacks. But Lebanese eyes will be dazzled by the glitz of the new show. Truly, the country is back to normal.

مكتبة من الأدب

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

Russia's threat to Nato expansion

From Dr Robert McGeehan

Sir, The threat by Igor Rodionov, the Russian Defence Minister, that the Soviet nuclear weapons could be targeted on Central and Eastern European states if they join Nato (report, November 29) is grimly reminiscent of the crude attempts by the Soviet Union in the early 1980s to similarly intimidate the members of the Atlantic alliance that had agreed to receive new American intermediate-range nuclear missiles.

Such coercive tactics did not succeed then and should not influence current deliberations on Nato enlargement, but they are a timely reminder that the former superpower to the east remains the only real potential aggressor in Europe, should its present efforts to move towards democracy collapse.

General Rodionov's further threats to renounce Russian commitments under the START treaty and create its own "defensive military alliance" are additional reminders that the grizzly bear has a long way to go before it becomes a teddy.

Yours faithfully,
ROBERT McGEEHAN
(Assistant Director,
Institute of United States Studies,
University of London,
Senate House, Malet Street, WC1.
November 29)

From Mr Frank Allaun

Sir, Russian Defence Minister Rodionov says that his country could refight nuclear weapons towards Eastern European countries if they join Nato. He thereby confirms the warning given by Mr Gorbachev to Western leaders during his recent visit to London that, if Nato expands into Eastern Europe, Russia would be tempted to tear up its disarmament treaties with them.

This is very real danger as Russia sees Nato military forces approaching her frontiers. British troops were this autumn sent from Germany for training on the ground in Lvov previously used by Russian tanks.

It is planned to add Eastern and Central European states to the existing Nato countries. When that takes place it could mean their accepting Nato tanks, artillery and aircraft and even nuclear weapons on their territories. It has been denied by American spokesmen that nuclear bombs will be sent, but it is significant that Poland and the Czech Republic seem ready to accept the possibility of nuclear weapons being based on their soil. It is unsurprising that the Russian Government is alarmed, although it has not so clearly stated this hitherto.

Mr Gorbachev is entitled to be listened to. It was his unilateral moves beginning in 1987 which led to the ending of the Cold War and the arms race. It would be tragic if they returned.

Yours sincerely,
FRANK ALLAUN
(Labour MP for East Salford, 1955-83),
11 Eastleigh Road, Manchester.
December 2

Social security changes

From the Parliamentary Under-Secretary of State for Social Security

Sir, As the minister responsible for the Social Security appeal system I was surprised to read Mr Alan Howarth's letter (November 26) on the changes I introduced recently. These are modest, practical measures to improve the efficiency of the Independent Tribunal Service and will not in any way reduce appellants' rights.

Contrary to the assertions in Mr Howarth's letter these changes did not involve any "high-handed" behaviour or mockery of Parliamentary procedure.

The amendments to the appeal regulations to which Mr Howarth refers were outlined in the recent Green Paper, *Improving Decision Making and Appeals*, where it was made clear, at paragraph 1.7, that it was planned to introduce them this autumn, subject to the usual consultation with the Council on Tribunals. The aim was to improve the current service while consultation was under way on more radical longer-term options.

These regulation changes followed the well-established procedure for negative resolution in Parliament — and the same will apply to the regulations changing the way earnings are calculated, to which Mr Howarth also referred. This means that a debate is not required before the regulations come into force, as Mr Howarth well knows.

Negative resolution regulations may be debated in Parliament if members seek a debate and time can be found for one. Debates on the appeal system changes took place in the Commons Standing Committee on November 7, during which Mr Howarth spoke, as well as in the Lords on November 19. If it is the will of Parliament, the other changes will be debated in due course.

Yours etc,
ROGER EVANS,
Department of Social Security,
Richmond House, 79 Whitehall, SW1.
November 27

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

Views on a Budget that 'discriminates against families'

From Mr James Sandilands

Sir, One wonders if members of the Cabinet talk to one another.

In the same week that the Chancellor announces that the level of financial support to London Transport is to be cut (Budget report, November 27) — a move hardly designed to discourage the trend for families to move out of the city — his colleague, the Environment Secretary, told the Commons (report, November 26) that the Government is raising its targets for nuclear waste.

The shortfall arises because it is not possible for a wife's unused personal allowance to be offset against her husband's income or vice-versa.

Removing this grossly unfair anomaly might reduce the incentive for both husband and wife to go out to work.

The result would be a boost to traditional family life and a reduction in unemployment.

Since these objectives are shared by all main political parties, why does none of them advocate the simple measure that would help to achieve them?

Yours faithfully,
M. T. GARDNER,
30 The Borough,
Brockham, Surrey.
November 28

From Mrs Helga Harrison

Sir, As we have learnt from Nigel Lawson and his successors, raising interest rates — while ostensibly meant to check inflation — is mainly a tool to manipulate the exchange rate.

This is also demonstrated by the recent meteoric rise of sterling, and the hint of further increases suggests that the Chancellor's true aim is to shadow the euro". Must we go back to another "Black Wednesday"?

Yours truly,
HELGHA HARRISON,
3 Westfield Lane,
St Leonards-on-Sea, East Sussex.
November 28

From the Chairman, Association of Metropolitan Authorities

Sir, May I take up two points in your otherwise excellent coverage of the local authority financial settlement (report, November 29). I did not claim

Kawasaki disease

From Dr Jack Gillon

Sir, If aspirin were the only treatment available for the very sick children Dr Thomas Stuttaford describes in his brief article about Kawasaki disease (*Body and Mind*, November 28) it might indeed be justifiable for the general practitioner to manage the child at home until the diagnosis becomes clear.

It has, however, been known for some years that high-dose intravenous gammaglobulin, or in some cases plasma exchange, can be effective in treating this life-threatening disease. These treatments can only be administered in hospital, and I would support the view that children as ill as those described by Dr Stuttaford should be seen by a paediatrician.

Yours faithfully,
JACK GILLON
(Consultant physician,
Edinburgh and SE Scotland Blood Transfusion Service,
Royal Infirmary, Edinburgh 3.
November 29)

Libya revisited

From Mr Adrian Newman

Sir, I wish Mrs Daisy Norris, the defiant widow visiting her first husband's grave in Libya (report, November 25), my very best regards.

I travelled to Tripoli on business in June, and was met by nothing but friendliness and politeness. The Libyan people were courteous and helpful, and there was no resentment or overt signs of government interference. Indeed, the only unpleasant part of the trip was the interminably long drive from Tunisia, and the rather unpossessing frontier posts.

I am, Sir, yours faithfully,
ADRIAN NEWMAN,
20 Munster Road,
Teddington, Middlesex.
November 28

Unacceptable

From Mr Robert Worboys

Sir, In a letter today headed "Thatcher's speech", the phrases "neither of us were involved" and "neither of us were part of" are used.

I have been forced to reluctantly accept the split infinitive. I have even taken red wine with fish, but I cannot and will not accept that the word neither is plural. Nor, for the record, is mine.

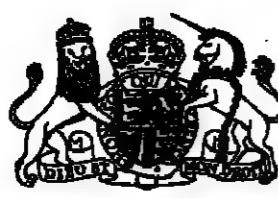
Yours faithfully,
R. K. WORBOYS,
60 Minster Court, Darlaston,
Wednesbury, West Midlands.
November 25

Beak's revenge

From Mr Brian Etheridge

Sir, As a retired schoolmaster who failed in his ambition to become headmaster of a famous public school, I am planning to sue every pupil (report, December 2) who, through indolence and indiscipline, was responsible for my lack of success.

Yours sincerely,
BRIAN ETHERIDGE,
Classica House,
High Street, Burford, Oxfordshire.
December 2



COURT CIRCULAR

BUCKINGHAM PALACE
December 2: The Queen and The Duke of Edinburgh this evening attended a Reception at the Garrick Club, London WC2, to mark the publication of a book of photographs of the Club's pictures and were received by the Chairman of the General Committee (Mr Anthony Butcher). His Royal Highness, Trustee of the Council, this morning attended a Council Meeting and Luncheon at St George's House, Windsor.

The Duke of Edinburgh this afternoon visited North Linstead, Maidstone, and was received by Mr Leonard Reynolds (Deputy Lieutenant and Councillor) John Lawry RN in attendance.

KENSINGTON PALACE
December 2: The Duchess of Gloucester, Patron, the Lismore Library, this afternoon attended the Annual Meeting at Skinners' Hall, Dowgate Hill, London EC4.

YORK HOUSE
December 2: The Duke of Kent this afternoon opened the new Army Indoor Tennis Centre, Princes Avenue, Aldershot, Hampshire.

Royal engagements
The Queen will hold an investiture at Buckingham Palace at 11.00. The Queen and the Duke of Edinburgh will attend a concert of massed bands at the Festival Hall at 7.30.

The Duke of Edinburgh, as Patron and Trustee of The Duke of Edinburgh's Award, will visit Award House, 71 St Matthew Street, SW1, at 2.30.

The Princess Royal, as President of The Princess Royal Trust for Cancer, will present the British Quality Foundation's 1995 awards at the UK Quality award and gala dinner at Grosvenor House at 7.00.

The Duke of Gloucester will open the pregnancy assessment unit at Nevill Hall and District NHS Trust, Great Rissington, Gloucestershire, at 12.00, and attend a service at Nevill Street at 12.15 to mark the centenary of *Finsbury Newsprint*'s *Abergavenny Chronicle*, and will open the restored chapel and tomb in St Mary's Priory Church at 2.05.

The Duchess of Gloucester, as Patron of St Peter's Research Trust, will visit the Christies gift fair at Holy Trinity Church, Brunswick Road, at 12.45.

The Duke of Kent and Queen Mary will visit the Sussex Masonic Centre, Queens Road, Brighton and will open the Royal Masonic Benevolent Institution's home, Barford Court, Kingsway, Hove, at 2.30.

Princess Alexandra, as Patron of The New Bridge, will attend a Celebration of Centuries concert in the Grand Chapel, Wellington Barracks, at 2.30, in aid of the association.

Appointment

Mr Robert K. Littlejohn has been appointed Registrar of the Royal College of Physicians and Surgeons of Glasgow.

Today's birthdays

Professor E.W. Abel, President of the Royal Society of Chemistry, 75; Mr Trevor Bailey, former cricketer, 73; Mr Ralph Bennett, former chairman, London Transport Executive, 73; Mrs Joan Brander, founder, The Winged Fellowship, 82; Professor Ian Butterworth, former Principal, Queen Mary and Westfield College, 66; Mr Charles Craig, actor, 78; Mr Mike Gibson, former rugby player, 54; M Jean-Luc Godard, film director, 66; Miss Deryl Hanmer, actress, 36; Sir William Hartshorn, former diplomat, 30; Mr Maxwell Hutchins, architect, 48; Sir Brian Jenkins, former Lord Mayor of London, 61; Professor G.S. Kirk, FBA, former Regius Professor of

Greek, Cambridge University, 75; Mr Franz Klammer, skier, 43; Mr David McCull, chairman, Anglia Television, 62; Miss Tanya Mousewhitch, theatrical designer, 82; the Rev Professor C.F.D. Moule, FBA, theologian, 88; Mr Paul Nicholas, singer and actor, 41; Mr Victor Paskore, CH, artist, 88; Mr Robert Phillips, deputy director-general BBC and chief executive, BBC Worldwide, 51; Mr Mel Smith, actor, writer and director, 44; Professor P. Toynbee, Vice-Chancellor, Liverpool John Moore University, 57; Mr Andy Williams, singer, 66; Mrs K.M.L. Wilson, former chairman, Equal Opportunities Commission for Northern Ireland, 76.

Dinners

Inter-Parliamentary Union
Dame Jill Knight, Chairman of the British group of the Inter-Parliamentary Union, was the host at a dinner held yesterday at Shepherd's Restaurant in honour of a Parliamentary Delegation from Bolivia led by Mr Georg Prestel, President of the Chamber of Deputies.

Coal Trade Benevolent Association
Lord Parkinson, President of the Coal Trade Benevolent Association, Mr J. Martins, chairman, and Mr Bill Giles of the London Water Centre, were the speakers at the annual festival dinner of the association held last night at the New Connaught Rooms.

Alzheimers
Mr Dennis M. Marks was the speaker at a talk dinner held last night at the Athenaeum. Mr Michael Kennedy presided.

Bahrain Society
The Annual Dinner of the Bahrain Society was held yesterday evening at the Caffe Royal, London, W1. The

President, Ambassador Abdul Aziz Mubarak Al Khalifa, and Sir Harold Waller, Chairman, received the guests. Mr Abdul Nahib Al Shoula, Minister of Labour and Social Affairs and Lord Prior, Chairman of GEC and the Arab British Chamber of Commerce, were the Speakers. Among those present were:

Shakila Tamseer Al Khalifa, Lady Shakila Tamseer Al Khalifa, Mr and Mrs El Seifeldin Al Mr and Mrs Abdul Karim Al Mucktar, Mr and Mrs Sadiq Al Mousa, Mr and Mrs Bowman, Mr Richard and Lady Beaumont, Mr and Mrs David Brown, Lord and Lady McNally, Mr

MAURICE MCDONALD



Lady Antonia Dalrymple at Newhailes, the house her family has owned for more than 200 years

18th-century 'time capsule' saved for £12m

BY DALYA ALBERGE, ARTS CORRESPONDENT

AN exceptional Scottish country-house, a 1700s time capsule that has remained virtually unchanged for 200 years, has been saved for the nation.

Newhailes, a stately home at Musselburgh near Edinburgh, has been acquired by the National Trust for Scotland. Historic carvings, elaborate iron balustrades and a gilt-enriched chimneypiece, of which some are showing signs of their age, will be restored to their original state. Many of the walls have not received a coat of paint since the 1700s builders packed up their brushes and left. They will remain like that.

The announcement was made by Michael Forsyth, the Secretary of State for Scotland, who responded to the National Trust for Scotland's appeal for £12.7 million. The National Heritage Memorial Fund is among other grant-giving bodies.

Newhailes' trustees and the elderly last surviving member of the family that installed its original decorations could no longer afford to maintain the house. The cost of battening against dry rot

proved too much, though the idea of selling up was distressing for Lady Antonia Dalrymple. The house was originally bought by an ancestor of her late husband, Sir Mark Dalrymple, the last baronet who died in 1971. Sir David Dalrymple, the 1st Baronet of Hailes, purchased it in 1707, and it had remained with the Dalrymples — a family of judges, lord advocates and secretaries of state — ever since. Lady Antonia lived there for half a century.

Over the years, historic baroque plasterwork with gilded seashells, a motif that continues throughout the house, steadily faded away.

Lady Antonia could only save the chippings — a jigsaw that she felt would one day be reassembled by restorers.

"Any money we had had to be spent on dry rot," she explained. "That's why the house is in the state it's in."

She said that the trustees had "talked of Christie's coming" and auctioning off the contents, while the house would be put on the market.

"A horrible thought."

In 1976, she saw the house's

library and archive leave for the National Library of Scotland in lieu of duties after her husband's death. Douglas Dow, director of the trust, said: "It is highly likely that, if the trust acquires Newhailes, the collection will be returned to the empty shelves of the library, which Dr Johnson called 'the most learned library in Europe'."

He added: "With its matchless architecture, interiors and contents, Newhailes is without doubt the most important built property which has fallen to the trust to save since Culzean Castle in the 1940s. There is scarcely an inch of wall or paneling in the main rooms of Newhailes

which has not been embossed ... Overwhelmingly, there is a sense of wonder that so much has survived unharmed."

Britain's largest art charity, The National Art Collections Fund (NACF), was the first to respond to the fund-raising campaign, donating £245,000 to buy four portraits from the collection for the National Trust of Scotland.

David Barrie, director of the NACF, said: "Newhailes is enormously important. Its interior, with its marvellous portraits and exuberant rococo decoration, transports the visitor to the early 18th century and the world of the Scottish Enlightenment."

ANNE MARIE SUMMER

Memorial service

Mr R.C.C. (Clem) Thomas. A service of celebration for the life of Mr Richard Clement Charles (Clem) Thomas, former Captain of Wales and former rugby correspondent of *The Observer*, was held yesterday at St Bride's, Fleet Street. Canon John Carter officiated.

Mr Gregory Thomas, son, read the lesson. Mr Christopher Thomas, son, read from his father's works. Mrs Caroline Pompfrey, daughter, read from the works of Canon Henry Scott Holland and Mr Mark Thomas, son, read his own work.

Mr Peter Corrigan, Mr Geoffrey Nicholson and Mr Curtis Reid of the *Independent* on Sunday, Mr Gavin Hastings of the British Lions and Scotland, Mr Nigel Skinner-Smith, BBC Television, and Mr Ian Robertson, BBC Radio, gave addresses. Dr Joyce D. and Mrs Nicholas Rowley (stepson and granddaughter) and other members of the family, friends and colleague were among those present.

MR M. DICKER

and Miss JE. NICHOLSON

The engagement is announced between Matthew, only son of Mr and Mrs Kenneth Dicker, of Bristol, Avon, and Jane Elizabeth, youngest daughter of the Rev Dr E.W. and Mrs Nicholson, of Oriel College, Oxford.

MR I.R.O. JONES-PERRY

and Miss S.H.J.C. GREEN

The engagement is announced between James, son of Mr and Mrs Robert Jones-Perry, of Limesfield, Petersfield, and Sam, daughter of the late Mr Bill Green, and of Mrs Green, of Badingham, Suffolk.

MR D.C.C. PEARN

and Mrs WEI JI

The engagement is announced between David, third son of Major (ad m) A.W.C. Pearn, of South Petherton, Somerset, and Wei-Ji, elder daughter of Professor Hong Ji and Mrs Peng Lin Ji, of Shanghai.

MR S. CANFIELD ROGERS

and Miss Y. LESENAR

The marriage took place on Saturday, November 9, 1996, in Canterbury, of Mr Simon Canfield Rogers to Miss Yolande Lesenar, of Leuven, Belgium.

Forthcoming marriages

Mr W.L.S. L. GETHIN and Miss R.A. STEWART-WILSON

The engagement is announced between William Anthony David St Lawrence, younger son of Mr and Mrs Anthony Gethin, and Belinda Apthorp, youngest daughter of Lieutenant Colonel Sir Blair and Lady Stewart-Wilson.

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Sir Roderick Barclay

A Memorial Service for Sir Roderick Barclay will be held at St Paul's, Vinton Place, Knightsbridge, on Thursday, January 23, at 11.30am, at St John's Wood Church, Lord's Roundabout, NW8. All are welcome.

Geoff Hamilton

A Service of Celebration of the Life and Skills of Geoff Hamilton, BBC Gardening Journalist, will be held on Thursday, December 19, at 11.30am, at St John's Wood Church, Lord's Roundabout, NW8. All are welcome.

Christening

The infant son of Mr and Mrs Ian Summer was christened Alex by the Rev Wendy Smith at St Paul's, Stoke-on-Trent, Staffordshire, on Sunday, December 1, 1996. The godparents are Mr M.G. Summer, uncle, and Mr Ronald H. Evans.

Meeting

Royal Overseas League
Miss Anna Boyle was the guest speaker at a meeting of the Discussion Circle of the Royal Overseas League held last night at Over-Seas House, St James's, Mrs Maini Radcliff presided.

Luncheon

Coal Industry Society
Mr M.G. Cruttenend, President of the Coal Industry Society, introduced the Right Rev David Jenkins as the principal guest and speaker at a luncheon of the society held yesterday at the Park Hotel, M.A.L.A. Third presided.

Service dinner

Country Colonels
The Marquess of Anglesey, author of the *History of the British Cavalry*, was the principal guest at the annual dinner of the Cavalry Colonels which was held at the Cavalry and Guards Club last night.

ANNIVERSARIES

BIRTHS: Samuel Crompton, inventor of the spinning mule, 1793; Sir Rowland Hill, originator of the penny post, Kidderminster, 1795; Frederic Leighton, Baron Leighton my 1878-96, Scarborough, 1832; Joseph Conrad, novelist, Berdichev, Russia, 1857; Anton von Webern, composer, Vienna, 1883; Rajendra Prasad, President of the Republic of India 1950-62; Zeradei, Bihar, 1854.

DEATHS: Francis Xavier, mathematician, Shanghai, China, 1852; Robert St. John Stevenson, writer, Samoa, 1894; Mary Baker Eddy, founder of The Church of Christ, Scientist, Chestnut Hill, Massachusetts, 1910; Pierre Renoir, painter, Cagnes, France, 1919; Dame Mary Gilmore, poet, 1962; Sir Oswald Mosley, politician, founder of the British Union of Fascists, Paris, 1963.

NON-BIRTHS: Neon lighting, developed by French physicist Georges Claude, was displayed for the first time at the Paris Motor Show, 1910.

Dr Christian Barnard carried out the world's first heart transplant, Groote Schuur Hospital, Cape Town, 1967.

More than 3,000 people were killed by a result of a chemical spillage at the Union Carbide pesticide factory in Bhopal, India, 1984.

PERSONAL

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FAX: 0171 481 9313

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OBITUARIES

SIR CLAUDE HAYES

Sir Claude Hayes, KCMG, chairman of the Crown Agents, 1968-74, died on November 20 aged 84. He was born on March 23, 1912.

As head of the Crown Agents for six years, Claude Hayes accepted full responsibility for the crisis which engulfed the department in the early 1970s. Appointed in 1968 from his previous post as principal finance officer at the Ministry of Overseas Development, he presided over a shift in investment policy which saw the agency plunge £210 million into the red.

The organisation had been founded in 1833 to act as a procurement agency for Britain's growing number of colonies, supplying them with anything from railway track to postage stamps. It charged a low rate of commission for its services and ran at a small profit, usually under the direction of some former colonial governors who found it a congenial post before retirement.

In the late 1960s, however, concern about the agency's long-term future — and that of its 1,700 staff — led its managers to try to build up its modest reserves, by more ambitious use of the £1,000 million annually passing through their hands.

They scored some initial successes. One small company which they acquired for £8,000 was sold fewer than three years later for more than £1 million. But they found themselves trapped by the secondary banking crisis and the property crash of the early 1970s. One firm collapsed after another, exposing an embarrassing sequence of high-risk speculations and unsecured loans. It caused a financial scandal which shook the nation.

While there was no suggestion of misconduct, the Crown Agents were accused of incompetence and of acting without the authority of Whitehall. Meanwhile, Hayes claimed in his defence that he had asked Whitehall in vain for a City investment expert to advise him.

As the man in charge, however, he acknowledged that the buck stopped with him. "I am to blame," he said on television. "There is no mistake about that." Earlier, in May 1974, he had agreed with the Deputy Governor of the Bank of England that his organisation was on the verge of bankruptcy.

That did not stop him from being one month later appointed KCMG in the



The King of Tonga being received by Hayes in 1969.

1974 Birthday Honours List, the same year in which he retired. Nonetheless, it must have been a disappointing end to the career of a gifted man, who had made his own way in life from humble beginnings.

Claude (James) Hayes was born at West Hoathly, Sussex, elder son of the village carpenter, and financed his own education by winning scholarships. One took him to Ardingly College, from which Warden school he went to St Edmund Hall, Oxford. There he was largely influenced by Kitchener scholarship — avowedly socialist of those who had fought in the First World War. Hayes Senior had served in the

France with the Royal Flying Corps. The young Claude was to write vividly of life at Oxford at that time in *The Awakening World* — his contribution to a book of recollections by St Edmund Hall alumni.

In 1933 he took a first in modern languages, won a Heath Harrison scholarship which took him to Strasbourg for three months then, after two years' research back at Oxford, got a three-year Zahoor fellowship to the Sorbonne. On his return he became a senior scholar at St Edmund Hall, while tutoring at the same time at New College in medieval French. (Research students in medieval French were still

calling to consult him until recently.) He then began his Civil Service career as assistant director of examinations for the Civil Service Commission before getting caught up in the Second World War.

Already a member of the Supplementary Reserve of Officers, Hayes sailed for France with the British Expeditionary Force in 1939 as a captain in the Royal Army Service Corps. Promoted to major, he was mentioned in despatches at Dunkirk in the following year.

He later served in Combined Operations in the front line in North Africa, Sicily and Italy, before returning for the battle for North-West Europe. He ended the war as a lieutenant-colonel in charge of supply operations at the port of Antwerp.

Returning to the Civil Service Commission in 1945, he became deputy director of examinations, then the director — and a commissions himself. Winning yet another travelling fellowship, this time one from the Nuffield Foundation, Hayes spent 1953-55 touring the Commonwealth with his wife, studying public service recruitment and management.

By now secretary of the Civil Service Commission, he moved to the Treasury as an assistant secretary in 1957, specialising in overseas expenditure at a time when Britain was dismantling the Empire, and in 1963-64 was adviser to R. A. Butler on the break-up of the Central African Federation and the Rhodesia issue. He was promoted to Under-Secretary at the Treasury in 1964, before moving to the Ministry of Overseas Development, his penultimate appointment.

There are those who feel that Hayes's personality contributed to his troubles at the Crown Agents. Austere and often scowling, with little small talk, he was increasingly isolated from many of his subordinates — who grew wary of giving him bad news.

Away from his desk, however, Hayes was capable of great charm and at home was a close family man. Nearly thirty years ago he bought Prinkham, a dilapidated medieval hall near Chiddingstone Heath, Kent, and with his wife Joan — whom he had met while at the Sorbonne — spent the next few years restoring it to its original glory. A serious gardener, he recreated an Elizabethan garden.

His wife died in 1984 and he is survived by two sons and a daughter.

MARIA CASARES

Maria Casares, actress, died on November 22 aged 74. She was born on November 24, 1922.

WITH the death of Maria Casares, France has lost one of its last links to a golden age of both theatre and cinema. She worked alongside Gérard Philippe and Jean Vilar at the newly founded Avignon Festival; she formed an almost legendary couple with Albert Camus; she appeared in the films of Marcel Carné, Robert Bresson and Jean Cocteau; and in 1947 she even made a radio play with Antonin Artaud.

Yet to talk of her career in terms of a few highlights seems inappropriate. Hers was a life of passionate, almost religious commitment to the stage. Fearful of dissipating her talent, she eventually came to concentrate on theatrical work more or less to the exclusion of other forms of acting. But by then she had already established herself as one of the most powerful presences in French cinema, and it is probably for her films that she will be remembered.

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remained strong. Casares played in Camus' *Estar de Sige* (1948) and *Les Justes* (1949), and they continued to see each other right up to his death in a car accident on January 4, 1960 (in fact, they had been planning to dine together the next day).

Though small and seemingly frail, Casares was an extraordinarily forceful actress. An almost harsh, triangular face with big green eyes was offset by a rough voice which gave even her more subdued roles an air of welling passion, almost of menace.

In Robert Bresson's *Les Dames du Bois de Boulogne* (1945) and even *Les Enfants du Paradis*, she plays women who seem all the more dangerous for having been betrayed or neglected by their lovers.

Sympathy for their situation is tinged with disquiet at their intentions. Jean Cocteau made the most of this story beauty in his two films, *Orphée* (1950) and *Testament d'Orphée* (1960), in which he cast her, opposite Jean Marais, as a seductive personification of Death itself.

In 1952, Casares joined the Comédie Française where she gave a famous performance in the title role of Charles Peguy's *Jeanne d'Arc*. However, finding life there rather staid, she left to join Jean Vilar and Gérard Philippe in the Théâtre National Populaire, where she was to play most of the great tragic roles, from Medea to Phaedra. She came to London with the company in 1956.

In 1966 she performed in Roger Blin's production of Jean Genet's *Les Paravents*, Jean Genet's *Les Paravents*.

having met the author years before through Camus. The play was the target of bitter right-wing attacks — both verbal and physical — because of its satire of the French Army. But it was a triumph for Casares. As Genet said by way of a compliment: "You love me a lot, don't you?" Among the production's defenders was Patrice Chéreau, in whose 1983 revival of the play Casares was also to star.

Age did nothing to diminish her vigour or her commitment to new work. Among the authors she premiered were Bernard-Marie Koltès (*Quai Ouest*) and Marco Antonio de la Parra (*Dostoevski à la plage*). In 1990 she pulled off the feat of combining Madame Bovary in *Tartuffe* with the part of the Pope in Genet's posthumous one-act satire *Elle*, rushing across to perform the shorter piece in the studio theatre while the middle section of the Molière was continuing in the main auditorium, and then hurrying back.

Such exploits held no fear for Casares, but nor was she interested in them simply for their own sake. In 1993 she was outstanding in another male role, taking the lead in Bernard Sobel's production of *King Lear* in Genneliers. It was with Sobel, and with the Argentine director Jorge Lavelli, that she did most of the work of her later years. Finally, the latter's *Théâtre de la Colline* has an auditorium named after this grande dame of the theatre, whose concern for grandeur was never focused on herself, but uniquely on the passions she was portraying.



Maria Casares and Jean Marais in Cocteau's *Orphée*

PROFESSOR A. A. HARPER

Alfred Alexander Harper, former Professor of Physiology at the University of Newcastle upon Tyne, died on November 17 aged 89. He was born on June 19, 1907.

PROFESSOR A. A. Harper best known for his outstanding contributions to our understanding of the digestive tract. At one time this was an unfashionable subject, and basic understanding of it was

poor. If that has since changed, it is largely thanks to the envy of his peers.

He qualified in 1932. A lectureship in physiology at Leeds, 1936-37, was followed by a post as Demonstrator in physiology at St Thomas' Hospital, then, in 1939, ten years in Manchester as lecturer and later Reader. In 1949 he was appointed to the chair of physiology in the medical school at Newcastle (attached until 1963 to the University of Durham). On his retirement as professor in 1972 he

written with a clarity that was

continued his research work,

collaborating closely with Dr

A. Hood of the University of

Sunderland.

Harper's principal interest was in the functioning of the pancreas and he became a founder member of the European Pancreatic Club and contributed regularly to its meetings and to those of its counterpart in the United States. His discoveries led him and H. T. Howar to devise a clinical test to assess the functional state of the pancreas and to put diagnostic criteria on a firm foundation.

After his move to Newcastle Harper built up a research group which rapidly gained international recognition in the field of neuro-humoral control of the digestive tract. His contribution to gastroenterology was recognised by his peers in his election as president of the British Society of Gastroenterology in 1971. He also held office in the Physiological Society and was its secretary from 1954 to 1960.

Not only did he make an impact on research but he also initiated a new era in teaching in Newcastle with the establishment of an Honours School (many of the graduates went on to hold chairs in medicine and physiology). Instrumental in the introduction of an integrated curriculum, he could also claim much of the credit for Newcastle's position in the vanguard of medical education.

He will be remembered by many of his colleagues and friends not only for his contributions to science and medicine but also for his expertise as a gourmet. As a host he had few equals, and his reputation in this as in other respects was recognised worldwide by visiting physiologists.

He remained unmarried.

LAWRENCE TINDALE

Lawrence Tindale, CBE, deputy chairman of the Industrial and Commercial Finance Corporation, died on October 30 aged 75. He was born on April 24, 1921.

LARRY TINDALE was the architect of the Industrial and Commercial Finance Corporation (ICFC), the forerunner of the Investors in Industry (3), where he was general manager from 1966 to 1972 and deputy chairman until 1991.

When Tindale joined the ICFC, it was an exclusively London-based financial institution, owned by the clearing banks and the Bank of England, specialising in long-term finance for small and medium-sized British companies.

Tindale took the institution to where its market was — outside London — establishing regional offices throughout England, Scotland and Wales. This restructuring brought directly in a huge increase in ICFC's business and consequently its standing among government ministers and, equally importantly, their Whitehall advisers.

Tindale's style of management was unique. Leading by example, he showed an extraordinary capacity for work and attention to detail. He expected no less from his colleagues. Those who ran the new regional branches had much autonomy but could expect to be quizzed remorselessly.

He was survived by his son,

an informal manager with a notoriously low threshold of boredom, and his approach ran directly counter to the stiff-collared style of the founding management.

But under Lord Sherfield, Piercy's successor, Tindale flourished. He built up the ICFC most successfully and it was no surprise when in 1972 he was seconded to the Department of Trade and Industry to become the DTI's director of industrial development.

He returned to the newly-named Finance for Industry in 1974, remaining its deputy chairman until 1991, by which time its name had changed twice again. During his career he was a director of more than a hundred companies, including Northern Engineering Industries and the British National Oil Corporation (subsequently Britoil). He was also chairman of the British Institute of Management, and a vice-chairman of the Consumers' Association. He was appointed CBE in 1971.

Tindale had a deep love of opera — attending every Glyndebourne season since 1946 and being a regular attender at new opera productions in London. He was also a devout Christian. Scientist, whose faith sustained him during the long illnesses of his wife Betty, whom he married in 1946, and of their daughter, each of whom predeceased him.

He is survived by his son,

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Tax cuts will decrease income

Pat Blair introduces a two-page report on fundraising for charitable organisations

Charities that can diversify across the broadest possible range of fundraising, marketing, trading and public relations activities are the ones that are most likely to be, and remain, successful.

So says Stephen Lee, director of the Institute of Charity Fund Raising Managers, whose members — more than 2,500 individuals covering 1,250 organisations — are specialists in the field. "It would not be appropriate," he says, "to blame the demise of some charitable bodies on the major national charities' increased voluntary income, the impact of the National Lottery or the current economic climate. In any year there are winners and losers."

For more than two years, the Institute has been tracking quarterly, the fundraising performance of 70 charities — large and medium sized — with a combined annual income from donations of £750 million out of an estimated total income of £3 billion to £5 billion.

These organisations have shown a real increase in income, across the board,

from nearly every different type of activity, save public collecting which has remained static," Mr Lee says. "The financial climate has been improving for some time. There is no evidence as far as we can see that there is a direct loss as a result of the lottery."

One effect of last week's Budget, however, will lose voluntary bodies money, through a reduction in the amount of tax reclaimed under planned-giving schemes. The National Council of Voluntary Organisations suggests that one penny of the basic rate of income tax will cost charities £13.8 million a year.

Increasingly, charities are becoming more professional in their approach. At the same time they are returning to their roots, forging closer links with the community in which they work, more that is reciprocated by business.

Far from the issue of voluntary income is the impact that the removal of statutory support, from both central and local government, has had.

According to Mr Lee, it has gradually declined over the past 15 years, particularly in



Shopping at the Barnardo's shop in Brixton, south London

core support for a whole movement of activities that were founded and then sustained through statutory support. "The notion that fundraising of voluntary income

can somehow make up the difference is misplaced. It never was an option and never should have been promoted as such," he says.

Reduced budgets, expenditure cuts and the effects of local council reorganisation have all struck the voluntary sector. Since local government reorganisation in Scotland in April, "we estimate that close to 1,000 jobs have been lost in the voluntary sector and about

16,000 people have lost access to services," says Martin Sime, director of the Scottish Council for Voluntary Organisations. About £10 million, 8 per cent, of council funding has been cut from voluntary groups. Small charities are among the worst hit. "The £500 discretionary grant is most affected, and that affects grassroots organisations."

Since central government grants form the greater part of

Charity Shops

THE WEDGE between charity shops and small high street traders looks set to widen.

Stephen Alambritis, head of press and parliamentary affairs at the Federation of Small Businesses, says: "Charity organisations are lobbying Virginia Bottomley, the National Heritage Minister, to deregulate further their trading in the high street."

Charity shops were originally welcomed by other traders because they occupied premises that would otherwise lie vacant and they sold second-hand goods. Alarm has grown that the charities have increasingly turned to offering new products.

The FSB claims charities gain an unfair advantage through business rates relief and reduced rents because they are prepared to take very short-term lets while the landlord finds a long-term tenant.

Charities claim that most of their products are second-hand goods and that landlords no longer offer cheap leases.

council spending, Mr Sime says, the effects of the Budget suggest that when councils set their budgets in January, "we're all expecting bad news again".

But at the end of the day, the service any charity gives is dependent on its ability to raise funds — and on its optimism. As Mr Sime says: "We just hope that there are better times around the corner."

How to donate with the help of the taxman

Revenue rules can make giving remarkably easy on the pocket

is issued and the donor can distribute the money as he or she wishes.

Payroll deduction is the only one of the three schemes to operate on pre-taxed income. Donations are made direct from salary at source, before tax, thus also reducing the donor's tax liability. Donations can also be made from pensions that are taxed under PAYE.

Among a number of payroll deduction schemes, the best known is probably Give As You Earn, operated by CAF. But they also include the Charities Trust and Sharing the Caring; the latter was bought earlier this year by Help the Aged, which is currently negotiating with other charities jointly to run the scheme.

Payroll giving operates through employers, who deduct the agreed amount from the employee's salary and forward it to the operator of the scheme with whom they are contracted. The scheme's operator will then distribute the money to the selected charities.

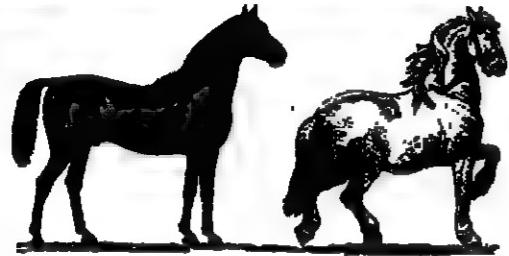
The choice of charity is flexible, says Miss Pulman. Money can be distributed as agreed by, say, staff representatives. "Another alternative is that each individual can choose the charities — up to eight through Give As You Earn — they wish to support," she says.

Companies can also take advantage of tax-efficient schemes. There is the CAF Company Account: a payment representing the company's charitable budget net of tax, is paid into the account and CAF receives the basic rate of tax paid by the company, crediting it to the account. The company may then set the gross amount in the account (say, against profits), thus reducing its corporation tax.

Gift aid is a single one-off donation. The minimum payment is £250 in a year and there is no maximum. Again, the charity can reclaim basic-rate tax, while higher-rate taxpayers can reclaim the marginal rates. This can also be done through a charity account opened by an individual or company. A chequebook and/or a charity debit card.

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The old question: what exactly is a charity?

Rodney Hobson
on the changes
facing the
voluntary sector

It has taken 400 years, so no one is rushing to make major changes to the legal framework surrounding charities. But Virginia Bottomley, the Heritage Secretary, and those involved in charities have acknowledged that the time has come to reconsider just what is a charity.

An independent commission on the future of the voluntary sector chaired by Professor Nicholas Deakin concluded that the legal definition of what constitutes a charity should be redefined in modern terms.

Laws governing charities date back to 1601, but changes will not be easy. One difficulty will be distinguishing between charities and non-profit-making organisations such as clubs, schools and arts organisations.

Also at issue is tax relief. Some big charities earn an increasing proportion of their income by providing welfare services under businesslike contracts with local and health authorities.

While charity umbrella organisations would welcome any clarification of the position, they are reluctant to campaign openly for a change in the legal definition of charities for fear that some of their own members could be excluded. They also feel that changes might make the position more complex rather than clearer. At present, at least they know where they stand.

The Deakin report recommended that there should be extensive public debate leading to a redefinition of the term "charity", based on the concept of public benefit. It also proposed a voluntary sector Law Commissioner to keep aspects of voluntary sector law under review and an independent Charity Appeal Tribunal with power to review decisions of the Charity Commission on the registration of charities.

Announcing the Government's response to the Deakin report, Mrs Bottomley took a sympathetic line towards charities when she addressed the Charity Directors' Network last month: "It is impossible to over-emphasise the importance of the voluntary sector in this country. There are over half a million voluntary organisations in the UK with an income of some £15 billion. Over half the adult population take part in voluntary activity each year, making a vital contribution to their communities."

The Deakin report proposed a "concordat" between Government and voluntary organisations. Mrs Bottomley replied: "I support the aim of encouraging good practice and better understanding of the roles and responsibilities of Government and voluntary organisations. However, the term 'concordat' seems to imply a more rigid relationship than is appropriate, given the diverse and dynamic nature of voluntary organisations."

The Charity Commission is to carry out a review of the

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The M&G Group

Rodney Hobson discovers how charities are organising themselves to ensure a tighter hold on purse strings and greater efficiency

Charities are flexing their financial muscles. Not only are those who hold the purse strings aiming for greater efficiency but they are also extracting better terms from suppliers and the banks.

Stephen Burgess at Help the Aged explains: "When I came into the sector I thought charity finance would be like commercial finance but there was a lot more involved."

"Unlike in the private sector, and even to some extent the public sector, you do not have customers demanding service and shareholders demanding returns on equity. Yet the public rightly demands that the money is well spent and the organisation is run efficiently."

Mr Burgess is chairman of the Charities Finance Directors Group. It was set up eight years ago by a handful of finance directors in major charities who got together one weekend to discuss a number of common issues. They found they could usefully

Watching the pennies and saving pounds

compare notes on financial control and management and work together to do a better job.

The group now has more than 600 members from over 300 charities. Mr Burgess says: "We are in the business of improving excellence in the financial management of charities. There are two parts: making sure the standards and guidelines of good financial management are in place and helping to make sure the individuals who apply those standards are properly trained and educated."

"We work very closely with the Charity Commission, the Accounting Standards Board and the profession in the widest sense, and interpret standards in the appropriate way."

The group holds monthly meetings at the Institute of Chartered

Accountants' headquarters in Moorgate, London, where the focus is on educational issues. It has a number of sub groups using the expertise of members on specific topics and has helpings to give members free advice on matters such as VAT, tax, accounting standards and investment.

Mr Burgess says: "Consistent with that, we have a role in promoting and advocating the importance of these issues so trustees and executives of charities understand the importance of recruiting the right sort of people."

The group has members from almost all the 100 biggest charities and from 50 per cent of the main grant-making charities. Although its members tend not to be from

the tiniest charities it does attract people responsible for organisations with turnovers of as little as £100,000 a year.

The scope for growth is considerable. Mr Burgess says: "We

grown by about 10 per cent each year and Mr Burgess expects this rate to accelerate as the group markets itself more aggressively."

He says that the benefits of the group are not confined to the 600 members. "The work that we do benefits the charity sector in the widest sense of the word. The work we do with bodies such as the Charity Commission and the Government benefits all charities. For example, we do a lot of work on reserves

guidelines." Charities have general reserves that support the long term well-being of the organisation and restricted funds that are effectively earmarked either by the donor or trustees for specific causes or recipients.

Just over two years ago Mr Burgess decided to go one step further and form the Charities Consortium, which was specifically targeted at helping charities to work together to get better commercial deals.

He says: "I am in my fourth year in the charities sector after a career in the commercial world. I found charities just weren't getting the proper leverage with suppliers. Even larger charities were not getting the level of discount and quality of service with suppliers and banks that I expected in the commercial world. Now the consortium has more than 20 members in the top 30 charities, all household names. We voluntarily compare notes on costs of supplies and on bank charges."

He says Help the Aged has halved its bank charges in the past two to three years, primarily because of competition between banks. Other charities have done the same.

He says: "Longer term, we hope to provide information and benefits to smaller charities as well. The nature of the organisation is such that most of the benefits to be enjoyed are for larger charities working together but we might be able to make those same benefits available to smaller charities."

He points out that banks have been quite open in stating that they treat charities on a par with commercial organisations for business. The consortium is trying to regulate charges in the same way that commercial organisations might.

One example of this was inviting banks to tender for business. Some charity finance directors discovered that their own bank was prepared to offer concessions that the charity was not aware of.

Get set for deregulation

Rodney Hobson
on the new rules
governing what
fund managers
can invest in

Charities are facing their biggest shake-up since the 1961 Trustee Investments Act gave them greater freedom to invest their funds.

Decisions are expected early next year on two discussion papers put forward by the Government. The first, issued in early summer, proposed scrapping the 1961 Act and with it the rule that a proportion of charity funds must be invested in "narrow range" investments — those such as gilts that are considered ultra-safe but produce an income.

Last month the Government also proposed, in consultation with the Charity Commission, to alter the regulation covering common investment funds where smaller charities band together to cut costs and spread their portfolios.

The proposal is to structure



A benefactress in 1979. Today, legacies still bring the top charities one third of their income

the common pools like authorised unit trusts, with a corporate trustee. The exemption from the Financial Services Act could also be removed.

Although it is now seen as restrictive, the 1961 Act in fact gave charity finance directors greater flexibility. It laid down that only 50 per cent of investments had to be in gilt

or equivalent safe investments. That figure was cut to 25 per cent in 1994.

The regulations were de-

signed to ensure that donations were not wiped out by

charities tempted to invest in high-yield but highly risky investments. During the past 35 years there has, however, been an increasing realisation that "safe" investments do not necessarily provide the best long-term returns. Shares, as the stock exchange reminds us, can go down as well as up. But over time they generally provide better returns — in the form of dividends and share price increases — than bank and building society deposits.

As Sarah Hamilton, charities marketing manager at Flemings, says: "Trustees can be just as prudent in investment as in other areas in their remit. They are obliged to act with the best interests of the charity at heart — so why not extend that to investment as well? A lot of charities depend on the income from their investments."

Even so, the Government's proposal to scrap the Act surprised many in the field of charities finance. It suggested that trustees should be given the power to invest the charity's money as if they were investing in their own right.

Ms Hamilton says: "The Government does want to retain protective measures. We agree that protection must not be diminished."

Investment advisers might be expected to favour forcing trustees to seek advice — but in fact they agree this may be undesirable and unenforceable. They believe trustees will be inclined to seek advice anyway.

The discussion paper implied that if the 1961 Act is repealed, trustees will be required to exercise a reasonable degree of responsibility but not to seek advice on most investments.

"It might be unreasonable for smaller charities to pay for advice," says Ms Hamilton. "Often there is someone close to the charity whom they could consult."

The Government looks certain to make changes, provided there is still time with a general election looming. Some charities have already

got around the rules by gaining exemption from the Charity Commission or from their own governing body.

To get round the 1961 Act, many newer charities have been established with governing documents drawn up in such a way as to give them wider powers. The Government is expected to bring all charities into line.

Charities switching to new investments may have to consider the implications of "ethical investments". If, for instance, a charity devoted to helping cancer victims chose not to invest in tobacco companies, this would be lawful even if tobacco was an attractive investment in financial terms. However, a charity could not avoid tobacco companies simply because it was run by a non-smoker. It would be expected to choose its investments on financial grounds only, avoiding tobacco companies only if it felt they represented a poor risk.

"What trustees should always do is to act in the best financial interests of the charity," says Ms Hamilton. "What clouds the issue is that some trustees may have strong personal views. That is not a justification for making or avoiding certain investments."

"Ethically responsible companies will probably do well in the future because they are already complying with the higher standards that are being enforced by law. They will not get caught out by legislation."

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CBI team puts ailing firms back on track

A COVENTRY production company with 18 employees has eliminated its overdraft within six months, pepped up its manufacturing processes and is set to increase turnover from £1.5 million to £6 million over five years (Sally Ward writes).

NDE Clarke Transmissions is one of nearly 30 West Midlands firms benefiting from an initiative by two members of the regional Confederation of British Industry.

Alan Curtis, manufacturing director of Rover Group, and John Hudson, group chief executive of Wagon Industrial Holdings, saw that, by offering consultancy, leading manufacturers could enhance supply chain performance and hence regional competitiveness.

With other CBI manufacturing members they formed a steering group, contacted regional Business Links and, last autumn, started a successful pilot company analysis and tailored programmes.

The result is the West Midlands Manufacturing Challenge, which has won £1.8 million over three years from the Department of Trade and Industry to transform the performance of 3,000 producers.

Twelve Business Links are recruiting manufacturing specialists, who will assess about 6,000 companies; at least 3,000 will carry out individual programmes to reduce working capital levels, improve quality and increase productivity, based on sales per employee.

Peter Edgington, managing director of NDE Clarke, says of the pilot: "Our adviser spoke our language and had wide knowledge of new techniques and machinery. New concepts were made understandable and achievable. We have introduced Cell-based manufacturing, which saves time, work and money, and have sold part of the business as a going concern, to concentrate on the core."

Another small firm was helped to eliminate its full facility overdraft of £100,000 in only five weeks.

"It's quite simple for a mentor company to come in and help—it's a question of knowing what you can do, and how," says Mark Bevan, managing director of Forms UK, print managers and one of 25 sponsor companies that include Rover, Wagon and Wyko. More will be added.

'Tis the season to be busy with toys and curiosities

By WIDGET RINN

MOST of the turnover of Sid and Diane Templar's mail order business is done in the hundred days before Christmas. Hawkin by Post sells stocking-filers and cheap and cheerful party toys. Mr Templar describes them as "curiosities that you thought had gone forever or never knew existed".

The current catalogue containing old family favourites such as wooden marionettes, has been developed over 15 years. The first edition was designed to sell template clockwork models to adult collectors because they did not comply with regulations for safety standards in children's toys.

"We knew that there was a flourishing market for tin toys among collectors, but we couldn't sell them through the shop in case they were bought by or for children," said Mr Templar. "We then started including small toys from our suppliers and the toy side of the catalogue expanded."

Annual turnover for the first few years was well under £10,000, but while other small businesses had problems keeping afloat during the recession the national economic downturn contributed to the success of Hawkin by Post.

"Although people trade down in a recession and don't buy mountain bikes for their kids, they still want stocking-filers and cheap presents for their children's parties," says Mr Templar. Turnover has increased 20 per cent each year since 1990, and now tops the £1 million mark. Mr Templar cultivates an amateur approach to the business, claiming that it just goes



People will always want stocking-filers and party gifts, says Sid Templar of Hawkin by Post

on growing with little encouragement. With two sons in their twenties now involved in the enterprise he foresees a more dynamic expansion in the future.

The main headache in running a small business geared mainly to the Christmas market is coping with a temporary large increase in staff. For nine months of the year it is run by the Templars with a handful of helpers, but a large army of part-timers comes in from September onwards to help to send out the quarter-million catalogues and process 50,000 orders. Fortunately the temporary staff are

tolerant of the fairly primitive conditions they have to work in, Mr Templar claims.

"It would be impossible for a business of our size to provide streamlined facilities for employees which would only be used for 25 per cent of the year," he said. "So there is no canteen, barely enough loo, and the car park is a field. When it rains a Land Rover has to pull the cars out of the mud."

The company is based on a farm in the Suffolk countryside and draws on temporary workers from villages in a five-mile radius, mainly women with families and

teenagers for whom evening and weekend employment appeals. Christmas work at Hawkin is a local tradition, according to Mr Templar, with people coming back year after year, then disappearing again after Christmas Eve.

Because people are working here during the Christmas season the atmosphere is more like a party than a workplace. When you're selling jumping beans and yo-yos it's very difficult to take this sort of business seriously."

For a Hawkin by Post catalogue phone 01986 782588.

© WIDGET RINN



A family run bakery in Dorset that was struggling to survive six years ago has won the best small business award from ParcelForce.

Fudge's Bakery, run by brothers Stephen and Graham Fudge and their wives, Tina and Susanne, at Leigh, is now a thriving business supplying top London stores including Harrods, Harvey Nichols and Fortnum and Mason.

It was established in 1926 by Percy Fudge, grandfather of the present owner. By the 1980s supermarkets were beginning to erode the bakery's business, while the

village baker's mainstay, the farming community, was shrinking. By switching to top-quality outlets, the bakery has been able to increase the number of staff from seven to 25 and to treble turnover.

□ Red tape has become the second biggest problem for small businesses, overtaking cashflow, reports the NatWest Small Business Research Trust. The survey

showed compliance costs were equivalent to a third of the taxes paid by small companies and almost half of those paid by unincorporated businesses.

The bank has also calculated from commissioned research that hundreds of thousands more could be employed in the sector if the first £5,000 of profits were tax-free, small companies' corporation tax was cut to 20 per cent, the VAT

Working from home can be hazardous to the health

By BRIAN COLLETT

BUSINESS owners operating from home should be aware of the poor working conditions they may be imposing on themselves.

Legislation coming into force on January 1 lays down office furniture standards and conditions for employers—but not for home-based businesses.

Sophie Chalmers, of Home Run, a home workers' magazine, said: "With no one to monitor how you work, and no boss for whom to sit up properly, home workers will continue to run a higher risk of back and neck strain."

In addition, domestic lighting is often unsuitable and kitchen tables, the wrong height for computers, while small tables can make users twist the neck and limbs.

Fellowes, a Yorkshire company making computer accessories such as glare filters and copy stands, says seats should have minimal cushioning, to discourage slumping.

ing, and should be the right height to keep the back straight. Thighs should be parallel to the floor, feet flat and forearms level with the keyboard. The wrists should not be bent to avoid repetitive strain injury. The advice is in *Ergonomics at Work*, a booklet covering the whole environment at home and in the office.

Richard Edwards, marketing manager at Fellowes, said the company is often asked for guidance on working conditions and runs ergonomics seminars.

Concerned home-based business owners should contact the Health and Safety Executive, which has a booklet for home office workers, said Stephen Jupp, a flexible working specialist.

Ergonomics at Work and Home Run factsheets on effective home working are obtainable free from 01392 641212.

Credit unions formed

By DAVID FANNING

SMALL businesses in Wales are to be offered access to capital and working funds at a favourable rate of interest and with much less trouble if the Wales Co-operative Centre's latest initiative develops as planned.

Business credit unions open to members of local business groups and controlled and operated by small business owners, will make available low interest short-term loans of up to £10,000. These may be used for any genuine business

purpose, particularly for cashflow funding and venture capital. Simon Jones, chief executive of the WCC, said that a scheme in Cardiff is well on its way to being launched and another in West Wales is at the feasibility stage.

"Usually the answer to cashflow problems is an overdraft at onerous rates of interest," said Mr Jones. "The business comes more under the control of the bank. With the business credit union, you're dealing with other small businessmen."

□ The Crafts Council is marking its 25 years with an Objects of Our Time exhibition at its Islington headquarters on Thursday. The council has provided more than £2 million in grants to help craftspeople to set up studios.

□ The British Library Lloyds Bank Business Line, opened as a free information service in 1994, has had its 100,000th call. Mechanical fizzes for an advertising campaign and cattle gallstones have been among the strangest requests.

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IDEAS OR INNOVATIONS

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Court of Appeal

Discrimination after dismissal lawful

Post Office v Adekeye
Before Lord Justice Hirst, Lord Justice Peter Gibson and Lord Justice Pill
(Judgment November 13)

Discrimination against an employee on racial grounds in the course of an appeal against dismissal was not unlawful under section 4(2) of the Race Relations Act 1976 since that section applied only to a person in employment.

A person making an internal appeal against dismissal was not an applicant for employment and any discrimination against her in the determination of the appeal was thus not subject to section 4(2).

The Court of Appeal so held dismissing an appeal by Omolara Adekeye against an order of the Employment Appeal Tribunal (*The Times* February 23, 1995; [1995] ICR 540) allowing an appeal by her former employer, the Post Office, against an internal appeal by Ms Adekeye to the tribunal's acceptance of jurisdiction over her claim that she was subjected to unlawful racial discrimination in the determination of her appeal against dismissal.

Section 1 of the 1976 Act provides: "(a) A person discriminates against another ... if — (a) on racial grounds he treats that other less favourably than he treats or would treat other persons..."

"(ii) It is unlawful for a person, in relation to employment by him at an establishment in Great Britain, to discriminate against another — (a) in the arrangements he makes for the purpose of determining

who should be offered the employment; or (b) the terms on which he offers that employment; or (c) by refusing or deliberately omitting to offer him that employment.

"(2) It is unlawful for a person, in the case of a person employed by him at an establishment in Great Britain, to discriminate against that employee — (a) in the terms of the employment which he affords him; or (b) in the way he affords him access to opportunities for promotion, transfer or training, or to any other benefits, facilities or services, or by refusing or deliberately omitting to afford him access to them; or (c) by dismissing him, or subjecting him to any other detriment."

Mr Robin Allen, QC and Mr Thomas Kibbrell, QC, the dismissed employee; Mr Richard Greening for the Post Office.

LORD JUSTICE PETER GIBSON said the appellant was summarily dismissed for misconduct by her former employer, the Post Office customer care officer which she had held for less than two years. She had utilised the internal appeal procedure but her appeal was dismissed.

She had complained of unfair dismissal to an industrial tribunal, claiming that her appeal had been rejected on racial grounds whereas other workers' appeals had been allowed. The tribunal decided her application had been brought out of time and declined jurisdiction. That decision had been reversed by the Employment Appeal Tribunal (*The Times* March 23, 1995; [1995] ICR 404).

When the case was remitted to the industrial tribunal, the Post Office took the point that she was not entitled to complain under section 4(2) of the 1976 Act because she was not an employee at the time of the act complained of. The tribunal decided that it none the less had jurisdiction to hear the case under section 4(6).

The Employment Appeal Tribunal held that she could not bring herself within section 4(2) as she was not a person employed at the time of the appeal hearing and determination and that section 4(7) was not intended to cover the position of a dismissed employee seeking reinstatement or re-employment.

Mr Allen had submitted on section 4(2) that the phrase "in the case of a person employed by him" covered both a person who at the time was so employed and a person who had been previously so employed and, alternatively, that the reference to dismissal in section 4(2)(c) included the determination of the appeal was contrary to section 1C(1).

The fact that the dismissal letter reminded the appellant of the internal appeals procedure did not turn what was worded as an unconditional dismissal into a conditional one. To argue that the dismissal did not take place until the conclusion of the appeal was contrary to section 1C(1).

On the first argument, his Lordship accepted the discrimination might occur, for example an employee against an ex-employee in respect of payment of wages in lieu of notice or bonus, with impunity under the Act.

But Parliament had chosen not to make a person liable for every act of discrimination in the field of employment, but only for those which fell within the description of the Act.

It was important to bear in mind that it was the continuation of the

employment and not the continuation of obligations which did not bear upon the continuation of the employment that was relevant.

To take an obvious example, the continuing obligation of a former employer to pay a pension to a former employee does not ensure that there could be no discrimination between a man and woman on an internal appeal against dismissed even if employment had ceased by the time of the hearing.

He submitted that the relevant sections of the Sex Discrimination Act 1975 should be construed in a way which complied with the directive, as should the 1976 Act.

That submission involved saying that although the 1976 Act in its proper construction as a matter of English law did not protect a person whose employment had ceased and although the European treatment directive had no application whatever to the 1976 Act, none the less to achieve consistency with the 1975 Act to which the directive was relevant, the 1976 Act should be given a meaning which otherwise it could not bear.

His Lordship knew of no authority which compelled such an extraordinary result.

It was unsatisfactory that the 1976 Act did not extend to give a remedy to an ex-employee pursuing an appeal against dismissal. But the appeal would be dismissed.

Lord Justice Pill and Lord Justice Hirst gave concurring judgments.

Solicitors: Anthony Gold, Lerman & Muirhead; Mrs Catherine Churched, Croydon.

Provincial specialist firm gets paid more than local rate

Jones and Another v Secretary of State for Wales and Another
Before Mr Justice Buckley
(Judgment October 24)

Where a provincial firm of solicitors was more specialised than was the norm for the area, a taxation of costs made in relation to its work could be calculated at a higher hourly rate than the local norm. The fixing of local rates for taxation could be used in most cases but that should not be allowed to render taxation a formality by displacing the exercise of discretion in each case.

Mr Justice Buckley, sitting with Master Rogers and Mr C. B. E. Jaques as assessors, so held in the Queen's Bench Division, when allowing the appeal of the Secretary of State for Wales and Vale of Glamorgan Borough Council, to the extent of substituting a £100 hourly rate for one of £75, against the decision of Master Seager Berry of March 22, 1996 to uphold a taxation of costs regarding the charges of Plimsoms, Reading, for their work for Anthony and Will-

said Jones in their successful appeal against the secretary of state and the council's determination of a planning application.

The solicitors were not an average provincial firm being specialists in, inter alia, commercial and planning work. The majority of partners and nearly all the assistant solicitors had backgrounds with firms in the City.

Costs were taxed on the basis of £85 an hour which was the rate adopted by Reading County Court. The amount was a flat rate taking no account of the different costs of work done by partners and assistant solicitors.

Mr Martin Ferber for the secretary of state, Mr Stephen Lloyd for the solicitors, the borough council did not appear and was not represented.

MR JUSTICE BUCKLEY said that there were "odd" disadvantages in departing from the well established rule that the hourly rate was to be calculated largely by reference to the local average and nothing his Lordship

said was intended to encourage such a departure in ordinary cases.

However, in a case such as this and providing the master was satisfied that the firm in question was clearly outside the range of local solicitors that went to make up the average rate, his Lordship could see nothing wrong in a higher rate. The higher rate would not be appropriate if the firm had engaged in a case which could reasonably have been handled by other local firms. The costs would not then have been reasonably incurred.

In this case the master decided that it would have been reasonable to instruct a London firm with the necessary expertise had Plimsoms not been available in Reading.

In accordance with *Wright v Sheffield Forgemasters Ltd* ([1996] 1 WLR 617) London rates would then have been allowed on taxation. It would be odd and undesirable if the higher London rate could be recovered by a London firm but not a somewhat lower rate by Plimsoms, for doing a case which otherwise would probably have to

be handled by a London firm. In principle, the master was correct to consider a higher rate than the one fixed by Reading County Court.

However, his Lordship and his assessors were not satisfied by the master's stated conclusion. He did not appear to base his figure on any evidence of Plimsoms' overheads.

Where a solicitor wished to challenge what might have become the going rate in any area, as here, to make a special case, he certainly should be required to produce evidence.

His Lordship's assessors felt that £100 was high. His Lordship allowed the appeal to the extent of substituting £75.

Finally, his Lordship was uneasy about the practice in certain county court and district registries of simply fixing a figure and applying it to all cases.

Quite apart from the fact that the ESR drew no distinction between a senior partner and an assistant solicitor, the practice did not amount to an exercise of discretion or judgment in a particular case

and might well not reflect a reasonable amount.

A taxing officer should have exercised a discretion to fix a reasonable rate for the work done by the firm in question.

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Finally,

McGovern enjoys cracking good month of November



IN ASSOCIATION WITH



THE end of November brings two sets of winners in *The Times* Interactive Team Football game. Mr M. McGovern, of Liverpool, wins £1,000 for the monthly prize scoring 82 points over November with his team March Pass. The weekly prize of £250 has been won by Mr R.A. Tiri, of London, who scored 35 points last week with his team Inter Anna.

In the overall competition, John Hunt remains in front, eight points clear of the chasing pack. Mr Hunt now boasts six of his Taunton teams in the leading 25 selectors; the challenge, as he readily admits, is keeping them there. He had better beware: one of the Ghouls, pipped at the post last year, is lurking in fifth position.

Mr Tiri's team is:

Goalkeeper
A Goram (Rangers)

Full backs
P Atherton (Sheffield Wed.)
S Staunton (Aston Villa)

Central defenders
D Matteo (Liverpool)
N Butt (Manchester Utd)
S Donnelly (Celtic)
B Laudrup (Rangers)

Midfield players
N Ardley (Wimbledon)
N Butt (Manchester Utd)
S Donnelly (Celtic)
B Laudrup (Rangers)

Strikers
P van Hooijdonk (Celtic)
I Rush (Leeds Utd)

Manager
J Kinnear (Wimbledon)



Two goals on Saturday for Bridges, of Sunderland, could lead to an extended run and a good haul of ITF points



If your team could be doing better, you can move into the transfer market to improve your fortunes. You can use the ITF transfer system which

allows you to change up to two players each week and to adjust your team if one of your players is actually transferred out of the FA Carling Premiership or Bell's Scottish League premier division.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone), call the 0891 866 966 line during the times given. From outside the United Kingdom, you must call 0044 990 200 668.

When making a transfer, you must ensure that the team does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the prizes — the overall £50,000, monthly £1,000 or weekly £250.

All Interactive Team Football transfer queries should be directed to 0171-757 7016. All other inquiries can be made on 01502 488 122.

HOW THE SCORING SYSTEM WORKS
All 1699-7 matches in the FA Carling Premiership, FA Cup, Bell's Scottish League premier division or Scottish Second Division from August 17 count for points. Penalty shootouts do not count. Points decided in this way will count for managers.

POINTS SCORED		
Goalkeeper	Goals	Strike
Keeps clean sheet*	2pts	Scores goal
Scored goal	2pts	All players
Saves penalty	1pt	Appearance
Full back/Central defender	2pts	Scored off stick
Keeps clean sheet*	2pts	Manager
Scored goal	2pts	Team wins
Midfield player	2pts	Team draws
Keeps clean sheet*	1pt	Team loses
Scored goal	2pts	

POINTS DEDUCTED		
Goalkeeper	Goals	Conceded
Concedes goal	2pts	Conceded penalty
Full back/Central defender	2pts	Misses penalty
Concedes goal	1pt	Scored own goal
All players	2pts	Manager
Scored	2pts	Team losses
* must have played for 75 minutes in the match		
1 must have played for 45 minutes in the match		

Call the ITF transfer system on 0891 866 968. Call cost (per minute) 45p cheap rate, 50p other times.

Check your points total and your ranking. You need a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone) and your ten-digit selector's PIN. Calls made from public telephones may cost approximately twice as much.

All Interactive Team Football transfer queries should be directed to 0171-757 7016. All other inquiries can be made on 01502 488 122.

Call the ITF checkline on 0891 864 643

Outside UK: 04 990 100 349

Check your points total and your ranking. You need a Touch-tone (DTMF) telephone (most push-button telephones with a * and a hash key are Touch-tone) and your ten-digit selector's PIN. Calls made from public telephones may cost approximately twice as much.

THIS WEEK'S TRANSFERS

CUT

20803... Jason Keaveney
22604... Jason Cundy
42202... Neil Heaver
62000... French Beretta

Derby County
Tottenham Hotspur
Southampton
Southampton

03.25m
£1.00m
£1.00m
£1.00m

20803... Jason Keaveney
22604... Jason Cundy
42202... Neil Heaver
62000... French Beretta

Derby County
Tottenham Hotspur
Southampton
Southampton

03.25m
£1.00m
£1.00m
£1.00m

LOAN PLAYERS

D Wessel (Derby to Manchester City, two weeks); J Wright (Nottingham Forest to Reading, one week); R van der Laan (Derby to Wolverhampton, two weeks); R Ferdinand (West Ham to Chelsea, three weeks); S Stewart (Sheffield Wednesday to Bolton, two weeks); G Patecock (Chelsea to Queens Park Rangers, three weeks); M Sten (Cheltenham to Stoke, three weeks); D Kerslake (Tottenham to Swindon, three weeks); T Coote (Leeds United to Birmingham, four weeks); P Taddei (Southampton to Huddersfield, four weeks). Loan periods subject to fluctuation.

THE LEADING 50 TEAMS

Pos Team

(Player's name)

Pts

1 John Hunt (Taunton D)

(J Hunt)

291

2 Stephen And Son

(G Foster)

263

3 John Hunt (Taunton H)

(J Hunt)

279

4 John Hunt (Taunton F)

(G Foster)

275

5 Purple Boys

(J Hunt)

272

6 John Hunt (Taunton E)

(J Hunt)

270

7 Jones Boys Three

(M Jones)

268

8 Schools For Goals

(P Mills)

257

9 Storm

(A Burton)

257

10 Skyforest

(A Longe)

256

11 Gungaholics

(J Bradshaw)

254

12 Orville Classico

(R Newbold)

253

13 PJ Thistle

(K Farhall)

251

14 A2

(M Jones)

250

15 Jones Boys B

(P Ford)

250

16 Mees Machine

(J Staszekiewicz)

250

17 NST Monstros

(V Cox)

250

18 Duggars

(P Mills)

250

19 Flanny's Rotifiers

(G P Dolan)

250

20 Dumbell's

(J Hunt)

250

21 Brain's Team

(J Hunt)

250

22 John Hunt (Taunton C)

(J Hunt)

250

23 John Hunt (Taunton D)

(J Hunt)

250

24 The Stand

(D Tulip)

250

25 Raj Is Back To Kill

(R Gohil)

250

26 John Hunt (Taunton G)

(J Hunt)

250

27 Raj Is Back To Kill

(J Hunt)

250

28 Team C

(J Brown)

250

29 Nobby 4

(J Gohil)

250

30 Nobby 5

(J Gohil)

250

31 Inter The Pub

(P Mills)

249

32 It's About Revenge C

(S McGovern)

249

33 Beeston Celtic

(J Gohil)

249

34 Hobby

(J Gohil)

249

35 The Demons

The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	Pts	Wk. Or
10101	M Watt	Aberdeen	1.50	0 - 3
10102	N Walker	Aberdeen	1.00	- 5 + 1
10201	D Seaman	Arsenal	5.00	0 + 27
10202	V Bartman	Arsenal	0.75	0 - 0
10203	J Lukic	Arsenal	0.75	- 1 - 10
10301	M Bosnich	Aston Villa	3.50	0 + 1
10302	M Onikes	Aston Villa	1.00	+ 5 + 9
10401	T Flowers	Blackburn Rovers	3.00	- 4 - 18
10402	S Given	Blackburn Rovers	2.00	0 - 0
10501	G Marshall	Celtic	3.50	0 - 1
10601	D Kharis	Chelsea	2.50	0 + 10
10602	K Hitchcock	Chelsea	2.00	- 0 - 20
10701	S Oryznic	Coventry City	1.50	- 3 - 16
10702	J Flan	Coventry City	0.50	0 - 0
10801	M Taylor	Derby County	1.00	0 - 0
10802	R Hout	Derby County	1.00	- 1 - 7
10901	A Mizouli	Doncaster United	0.50	0 + 4
10902	L Key	Dundee United	0.50	- 3 - 10
11101	N Southall	Everton	2.50	- 0 - 6
11103	P Gernot	Everton	2.50	- 0 - 6
11301	J Leighton	Hibernian	1.50	+ 5 + 4
11401	D Lekovic	Kilmarnock	1.00	- 0 - 25
11501	M Seenev	Leeds United	1.50	- 0 - 0
11502	P Evans	Leeds United	0.25	0 - 0
11503	N Marly	Leeds United	2.50	+ 5 - 1
11601	K Poole	Leicester City	1.00	- 0 - 6
11603	K Keller	Leicester City	1.00	- 0 - 10
11701	D James	Liverpool	5.00	- 0 - 8
11702	A Warner	Liverpool	0.50	- 0 - 0
11704	S Schmeichel	Manchester United	5.00	- 1 - 12
11802	R van der Gouw	Manchester United	1.00	- 0 - 0
11901	G Smith	Middlesbrough	1.50	- 1 - 7
11902	A Miller	Middlesbrough	1.50	- 0 - 23
12001	S Howie	Motherwell	1.50	- 0 - 30
12101	S Hislop	Newcastle United	4.00	- 0 - 3
12201	P Smolic	Nottingham Forest	3.00	- 0 - 0
12202	A Fattie	Nottingham Forest	2.50	- 0 - 28
12203	T Wright	Nottingham Forest	0.75	- 0 - 0
12301	S Thompson	Rotherham	0.50	+ 5 - 19
12401	A Goran	Rangers	5.00	+ 5 + 24
12501	K Pressman	Sheffield Wednesday	2.00	+ 5 - 0
12601	D Beasant	Southampton	1.00	- 0 - 10
12602	N Moss	Southampton	0.25	- 0 - 12
12603	C Woods	Southampton	1.50	- 3 - 19
12702	L Perez	Sunderland	0.50	- 0 - 8
12803	A Coton	Sunderland	1.00	- 0 - 9
12801	I Walker	Tottenham Hotspur	3.50	- 0 - 15
12802	L Midkiss	West Ham United	2.00	- 5 - 10
12902	S Maitone	West Ham United	0.50	- 0 - 5
13001	N Sullivan	Wimbledon	1.00	+ 5 - 8
13002	F Heald	Wimbledon	1.00	- 0 - 0



Rush scored his first goal for Leeds United on Sunday. But was it too late for too many ITF selectors?

Code	Name	Team	Pts	Wk. Or
30305	R Solmeza	Aston Villa	1.00	+ 4 - 5
30401	C Hendry	Blackburn Rovers	4.00	- 1 + 1
30402	J Pearce	Blackburn Rovers	2.50	0 - 0
30403	C Coleman	Blackburn Rovers	2.50	- 0 - 3
30404	N Marker	Blackburn Rovers	0.50	- 0 - 2
30501	T Boyd	Celtic	3.00	- 1 - 11
30502	M MacKay	Celtic	1.50	- 0 - 3
30503	A Stubbs	Celtic	3.50	- 1 - 8
30504	B O'Neill	Celtic	3.00	- 1 - 4
30601	M Duberry	Chelsea	2.50	- 1 - 4
30602	F Labeyrou	Chelsea	2.50	+ 2 - 14
30603	F Sinclair	Chelsea	2.00	0 - 0
30604	D Lee	Chelsea	2.00	- 0 - 3
30605	A Myers	Chelsea	1.50	- 0 - 8
30606	E Johnson	Chelsea	1.50	- 0 - 10
30607	E Kjeldberg	Chelsea	0.50	- 0 - 0
30701	L Dalah	Coventry City	2.00	- 1 - 1
30702	R Shaw	Coventry City	1.50	- 1 - 2
30801	I Stivac	Derby County	2.50	- 1 - 2
30802	R Wassall	Derby County	1.00	0 - 0
30803	P McGrath	Derby County	2.50	- 0 - 2
30804	J Laursen	Derby County	1.00	- 0 - 7
30805	M Carbon	Dundee United	0.50	- 0 - 0
30806	S Pressley	Dundee United	1.00	- 0 - 6
30807	G Charles	Dundee United	0.25	- 0 - 0
30808	P King	Dundee United	0.25	- 0 - 0
30809	F Nelson	Dundee United	3.00	- 0 - 15
30810	H Berg	Blackburn Rovers	3.00	- 1 - 3
30811	G Le Seau	Blackburn Rovers	3.00	- 1 - 2
30812	J Kenne	Blackburn Rovers	3.00	- 1 - 4
30813	D McPherson	Blackburn Rovers	1.50	- 0 - 2
30814	J Crot	Celtic	3.00	- 1 - 7
30815	J McNamara	Celtic	3.00	- 1 - 0
30816	T McKinlay	Celtic	3.00	- 1 - 0
30817	D Petreacu	Chelsea	3.00	- 1 - 7
30818	S Clark	Chelsea	2.00	- 1 - 2
30819	T Phelan	Chelsea	2.00	- 0 - 0
30820	S Minto	Chelsea	1.00	- 1 - 4
30821	D Wetherall	Leeds United	2.50	- 1 - 12
30822	R Johnson	Leeds United	2.00	- 1 - 4
30823	L Redbeke	Leeds United	1.00	- 1 - 4
30824	J Pemberton	Leeds United	1.00	- 1 - 4
30825	S Walsh	Leicester City	1.00	- 0 - 6
30826	J Witte	Leicester City	1.00	- 2 - 9
30827	P Kamark	Leicester City	0.50	- 0 - 0
30828	D Yates	Derby County	1.00	- 0 - 2
30829	J Densham	Derby County	0.25	- 0 - 0
30830	J Kenneagh	Derby County	0.25	- 0 - 0
30831	P Parker	Derby County	1.00	- 0 - 4
30832	M Neales	Dundee United	1.00	- 0 - 1
30833	M Perry	Dundee United	0.50	- 0 - 1
30834	N Duffy	Dundee United	0.50	- 1 - 2
30835	C Miller	Dundee United	0.50	- 0 - 3
30836	A Rod	Dundee United	0.25	- 0 - 5
30837	M Hoddige	Everton	2.50	- 1 - 10
30838	B Hinckiffe	Everton	2.00	- 1 - 10
30839	S Barrett	Everton	1.50	- 0 - 9
30840	M Jackson	Hearts	1.00	- 0 - 0
30841	G Leslie	Hearts	2.00	- 0 - 0
30842	N Polson	Hearts	1.00	- 0 - 4
30843	W Miller	Hibernian	1.00	- 1 - 7
30844	F Rolling	Hibernian	1.00	- 1 - 15
30845	R Jones	Liverpool	3.00	- 0 - 0
30846	S Harriess	Liverpool	1.50	- 0 - 0
30847	S Blombery	Liverpool	0.50	+ 0 - 18
30848	P Chemnick	Liverpool	0.25	- 0 - 0
30849	D Irwin	Manchester United	4.00	+ 0 - 13
30850	G Neville	Manchester United	3.00	- 0 - 5
30851	P Neville	Manchester United	3.00	- 0 - 1
30852	S Grayson	Midfielders	3.00	- 0 - 4
30853	N Lewis	Leicester City	0.50	- 0 - 2
30854	C Morris	Middlesbrough	1.50	- 0 - 0
30855	C Fleming	Middlesbrough	0.75	- 1 - 6
30856	C Blackmore	Middlesbrough	0.25	- 0 - 0
30857	S McMillan	Motherwell	0.50	- 1 - 1
30858	D Aitkenhead	Newcastle United	3.00	- 0 - 10
30859	M Whittaker	Newcastle United	2.00	- 0 - 2
30860	S Grayson	Newcastle United	2.00	- 0 - 2
30861	N Coakley	Newcastle United	2.00	- 0 - 2
30862	F McAllister	Newcastle United	2.00	- 0 - 2
30863	R Dryden	Newcastle United	0.50	- 0 - 11
30864	M van der Gaag	Newcastle United	4.00	- 0 - 11
30865	P Albert	Newcastle United	3.00	- 0 - 7
30866	S Howey	Newcastle United	3.00	- 0 - 7
30867	D Peacock	Newcastle United	3.00	- 0 - 11
30868	S Vickers	Middlesbrough	1.50	- 0 - 7
30869	D Whyte	Middlesbrough	0.75	- 0 - 4
30870	S Denner	Middlesbrough	1.50	- 1 - 3
30871	R Gough	Rangers	3.50	+ 2 - 28
30872	A McLaren	Rangers	3.00	- 0 - 0
30873	J Bjorklund	Rangers	3.50	+ 1 - 17
30874	G Patric	Rangers	2.50	+ 1 - 14
30875	J Nonnem	Sheffield Wednesday	2.00	- 1 - 15
30876	D Walker	Sheffield Wednesday	1.50	+ 4 - 13
30877	B Linighan	Sheffield Wednesday	0.25	- 0 - 2

THE TIMES TODAY

TUESDAY DECEMBER 3 1996

NEWS

Driver dies in road rage stabbing

A young father has died after a passenger in a car he overtook stabbed him at least 15 times and slashed his throat at the end of a three-mile chase along unlit country lanes.

Lee Harvey, the fifth man to die this year as a result of road rage, was left bleeding from multiple wounds in the middle of the road as his attacker's car drove off. He died in the arms of his fiancée, who was slightly injured.

Page 1

Sir Nicholas gives up drink

■ Sir Nicholas Scott, the Tory MP, rose at 6am yesterday to reveal in a series of radio and television interviews that he had given up drinking. The information, however, was aimed at wavering supporters in the Kensington and Chelsea Conservative Association rather than viewers of BBC breakfast television, and was part of a careful strategy.

Page 1

Defiant Clarke

Kenneth Clarke set his face against changing the Cabinet's wait-and-see policy on the single currency amid indications that the Prime Minister might attempt to do so.

Page 1

Freemasons accused

Freemason councillors have been censured by the Local Government Ombudsman in a report that disclosed extensive links with the Conservative Party.

Page 8

Bullying prosecution

Lawyers predicted a surge in legal actions over bullying at work after a solicitor's clerk won a landmark prosecution against his former employer.

Page 1

Bigger lorries

A new generation of 44-tonne "super lorries," the largest ever seen on Britain's highways, could be allowed access to the main road network.

Page 2

'Perfect' murder

A businessman boasted that his wife's disappearance had been a perfect murder, a court was told. Russell Causley was alleged to have said it was "better than an Agatha Christie murder".

Page 3

Smiths court case

Songwriter Stephen Morrissey treated less well-known members of The Smiths as "mere session musicians as readily replaceable as parts of a lawnmower". The High Court was told.

Page 5

Meningitis outbreak

Parents of the two teenage students who died in the meningitis outbreak at Cardiff University spoke of the pointlessness of their deaths.

Page 6

Newscasters make the news

■ The BBC television presenter Moira Stuart became the latest celebrity newscaster to join the "great and good". Ian Taylor, the Science Minister, announced she had been appointed to the Human Genetics Advisory Committee. Last year Gillian Sheppard, the Education Secretary, appointed ITN's Trevor McDonald to the Better English Campaign.

Page 1



Russian designer Valentin Yudashkin acknowledges the applause after his show on the last day of Moscow Fashion Week

Racial Electronic Shares in Racial Electronic plunged 50p to 225p after a warning on profits brought on by a shortage of radio orders.

Page 27

Richard Lines, the former chairman and founder of MTM, the speciality chemicals group now known as Meristem, has been convicted of false accounting and lying to investors.

Page 27

Economy: The pound rose after the Abbey National raised its mortgage rates and business managers reported growth in production and new orders for the sixth consecutive month.

Page 27

Markets: The FTSE fell 19.7 to 4038.3. Sterling rose to 94.5 after rising from \$1.6805 to \$1.6850 and DM2.5833 to DM2.5989.

Page 30

Poor exam actions Labour said that it would change the law to ensure that children could not sue if they got poor exam results.

Page 10

Russian military row A furious battle broke out in the Russian military's top ranks after General Igor Rodionov, the Defence Minister, accused one of his most senior officers of "dishonorable conduct".

Page 11

Missing refugees British troops on short notice to leave for Zaire have been stood down after a reconnaissance aircraft found no evidence of the reported 500,000-700,000 "missing" refugees.

Page 12

Smiths court case Songwriter Stephen Morrissey treated less well-known members of The Smiths as "mere session musicians as readily replaceable as parts of a lawnmower".

Page 5

German army's Jews Volker Rühe, the German Defence Minister, opened an exhibition which tackles the Jewish contribution to the German and Prussian armies.

Page 13

Newscasters make the news

■ The BBC television presenter Moira Stuart became the latest celebrity newscaster to join the "great and good". Ian Taylor, the Science Minister, announced she had been appointed to the Human Genetics Advisory Committee. Last year Gillian Sheppard, the Education Secretary, appointed ITN's Trevor McDonald to the Better English Campaign.

Page 1

Weather forecast by Fax

Dial 0336 401 2884 for weather from your fax.

■ Scotland: 410 240; N. Ireland: 410 241; Wales: 410 235; Midlands: 410 236; London: 410 242; Northern Islands: 410 238; N. East: 410 239; Jersey: 410 397.

Met Office Met Office: 410 398.

World City Weather by Fax

123 destinations world wide - stay connected.

by Phone: 0121 936 411216 by Fax (index page): 0336 416 2823

Met Office Met Office: 410 398.

Car reports by fax new and used car reports from the AA and RAC.

Did you know for less than £100 you may have to pay to post receive mode.

AA Correspondence Ltd, Bank Base Prekey fed Bellgate KGM 101.

Calls are charged at 45p per minute cheap rate: 50p per minute at all other times.

■ **HOURS OF DARKNESS**

Sunrise: 7.47 am Sunsets: 3.54 pm Moonrise: 12.35 pm Moonsets: 7.45 pm

Last quarter today: London 4.04 pm to 7.49 pm Bristol 4.04 pm to 7.59 pm Cardiff 4.04 pm to 7.59 pm Edinburgh 4.04 pm to 7.59 pm Manchester 4.04 pm to 8.07 pm Belfast 4.22 pm to 8.04 pm

■ **WEATHER**

1 One bound to throw off all restraint, in turn (12).

2 Revolutionary tricks recalled by such horses? (9).

3 Scriptures are backed as inspiration for poetry (5).

4 Aim is a high position in church (6).

5 Minor biography at first producing no response (8).

6 Tax remains limited, being worth very little (6).

7 Put an *Othello* back in the exhibition centre (8).

8 Turning out to be suitable (8).

9 Duck, quail, or other bird seen round lake (6).

10 Withdrawn from function in the light of danger (8).

11 Stolen cup and dish (6).

12 Draw line, you said, of a particular colour (5).

■ **Solution to Puzzle No 20,340**

COMPLAISANT, EWEVENT, QUBATIN, NOSTRUM, ATTACHE, TIEFELLES, EARED, NEFARIOUS, NGESSES, DECREASE, LIMS, SODS, SCGN, RANK, STRANGER, SPGRH, ATTRIBUTE, RUGME, LRGCS, SITHIN, BRISKED, SEAWARD, UGL, EENGE, METRE, REDSETTER.

■ **Two Crossword, page 52**

■ **WE'RE VERY PROVIDENT**

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THE TIMES CROSSWORD NO 20,341

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UK Weather - All regions 0336 444 910

UK Roads - All regions 0336 401 240

Motorways 0336 401 246

UK and City Roads 0336 401 760

Continental Europe 0336 401 910

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Flights to Headrow 0336 401 288

Flight Information 0336 401 288

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1 One bound to throw off all restraint, in turn (12).

2 Revolutionary tricks recalled by such horses? (9).

3 Scriptures are backed as inspiration for poetry (5).

4 Aim is a high position in church (6).

5 Minor biography at first producing no response (8).

6 Tax remains limited, being worth very little (6).

7 New oarsman with current rising showing signs of distress (3).

8 Avoid quick appearance to play with this creature (6).

9 Skilled pilots covering new test in descent (6).

10 Riddle in the main for the Jumbies (5).

11 New oarsman with current rising showing signs of distress (3).

12 Avoid quick appearance to play with this creature (6).

13 Skilled pilots covering new test in descent (6).

14 Riddle in the main for the Jumbies (5).

15 Being an impulsive sort, he had to reform (7).

16 Be so elated to start broadcasting career? (4,2,3).

17 Do basic preservative work where butterfly may be found? (8).

18 Capsized sailor reaching bank - but only just (6).

19 Being an impulsive sort, he had to reform (7).

20 Didn't use any horses for the round-up? (5).

21 Place worker in factory (5).

22 Outstanding leader in dance band (4).

■ **Solution to Puzzle No 20,340**

COMPLAISANT, EWEVENT, QUBATIN, NOSTRUM, ATTACHE, TIEFELLES, EARED, NEFARIOUS, NGESSES, DECREASE, LIMS, SODS, SCGN, RANK, STRANGER, SPGRH, ATTRIBUTE, RUGME, LRGCS, SITHIN, BRISKED, SEAWARD, UGL, EENGE, METRE, REDSETTER.

■ **Two Crossword, page 52**

THE TIMES



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LAW

Blasphemy
and freedom
of expression
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Howard Hodgkin
on why he can't
explain his art
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SPORT

Zimbabwe left to
puzzle England
selectors' hiccup
PAGES 47-52

TELEVISION
AND
RADIO
PAGES
50, 51

BUSINESS EDITOR Lindsay Cook

TUESDAY DECEMBER 3 1996

Exporters squeezed as pound hits 3-year high

By JANET BUSH
ECONOMICS CORRESPONDENT

STERLING jumped to its highest level against the mark for nearly three years even as the first evidence emerged that British manufacturers are beginning to suffer from the pound's strength.

The pound gained more than 1½ pence to hit a high of DM2,600.12, its best level since February 1994. It also appreciated about half a cent against the dollar, nearly reaching peak levels last seen in October 1992 just after sterling was forced to leave the European exchange-rate mechanism. On its effective index against a basket of currencies, the pound closed sharply higher at 94.5 from

94.0 on Friday. Reports that the pound is starting to affect exports negatively — but also exert a useful downward pressure on prices — came from the Chartered Institute of Purchasing & Supply, which released its latest purchasing managers' survey.

Overall, the survey showed manufacturing industry expanding for the sixth month running, but recovery remains slow. Output grew in November, but the rate of growth was down slightly. The Purchasing Managers' Index fell to 54.4 from 54.5 in October.

Orders accelerated, driven by stronger demand for consumer goods and components. Export orders continued to grow, but the institute said sterling's was reported to have reduced some sales.

The institute said: "The survey found evidence that the recent rise of sterling had an impact on new orders from overseas. However, any fall in overseas demand was easily outweighed by the healthy state of orders from domestic markets, with con-

Anatole Kaletsky 16
Softly, softly 31

sumer goods firms still very much at the forefront of growth."

Encouragingly, the pound affected prices paid for raw materials. Prices, which had shown signs of picking up between August

and October, fell again in November. "The recent increase in deflationary pressures was almost entirely a result of the stronger pound making imported inputs cheaper in sterling terms," the institute said.

At the margin, yesterday's survey may help the Chancellor to fend off any Bank of England demands for higher base rates at the next monetary meeting on December 11. However, the Bank was also given ammunition with yesterday's news of rapid growth in M0 narrow money supply in November.

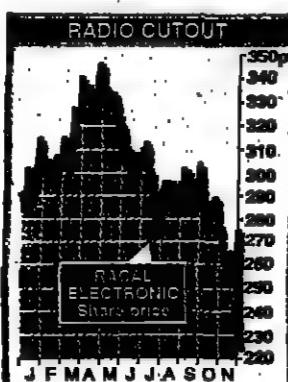
The Bank said M0 grew by a seasonally adjusted 7.5 per cent in November, which equals this year's peak growth rates in June and August and is the highest since December 1988. Although the relationship

between M0 and retail sales has not been close in recent years, it will still be taken as a warning of a pick-up in consumer spending.

Sterling's strength was not the only highlight in the foreign exchanges. The dollar jumped to six-week highs against the mark, profiting from a strong American purchasing managers' survey as well as comments by Ottmar Issing, Bundesbank chief economist. He said investors may well switch to dollar assets at the onset of European monetary union. Both the dollar and sterling have profited from weakness in the mark and other currencies expected to join a single currency. The dollar ended in Europe at about DM1.5437 compared with DM1.5320 late on Friday.

Racal shares in £150m slide after warning

By ERIC REGULY



A PROFIT warning from Racal, the defence electronics and communications group, yesterday triggered one of the biggest single-day declines of a top Stock Exchange company.

The shares fell by 18 per cent, wiping almost £150 million off Racal's market value, and City analysts gave a warning that the worst may not be over.

The shares broke through their year low of 250p to close at 225p, down 50p, after Racal said that its radio division, one of its largest businesses, would report operating losses in the second half of the year. The downturn, it said, would slice £20 million from the company's pre-tax profits for the full year.

The warning came five months after David Elsbury, chief executive, and Sir Ernest Harrison, the chairman, assured the City that pre-tax profits in the year to March 31 would exceed last year's £70.4-million return.

James Heal, an analyst at Hoare Govett, now expects pre-tax profits of £45.5 million, including exceptional charges, in 1996-97, against his previous forecast of £65.5 million.

Although sales in the radio division, which makes military communications equipment such as combat radios, have been on the wane, Racal said that it did not realise the full scope of the downturn until a board meeting held last Friday. As a result, it decided to release its interim results today instead of on Thursday. Mr Elsbury said that it was "not logically possible" to release them yesterday.

Racal said that it expects to report interim pre-tax profits of £21 million, including exceptional charges, against £30.1 million in the same period a year ago.

The radio division is suffering because more competitors are chasing fewer contracts. It relies almost entirely on defence forces around the world for orders. Three expected orders — from Latin America, the Middle East and Britain — have failed to come through.

Mike Styles, an analyst of Credit Lyonnais Laing, said: "They've been fighting against the French and Americans (for

division) cap several months of bad news. In June, Racal announced that it would take an exceptional £20 million charge to restructure its ailing data products business, which manufactures modems and other types of communications and access equipment.

A cost-reduction programme was put in place and two factories — one in Britain, the other in Italy — were closed. Racal said that a turnaround is now in place, with the data products business expected to generate "modest" profits in the second half.

In the autumn, British Telecom emerged as the winner to replace the British Armed Forces' telecoms system. Racal, the only other bidder, had expected to win the £1 billion contract. As the company's misfortunes increased, City brokerage firms downgraded their earnings forecasts.

Mr Heal, of Hoare Govett, thought the shares at 225p are not low enough to reflect the uncertainties that Racal faces. "I'm still cautious at this level," he said. Some analysts think that the shares could fall further, to 200p, before a recovery takes place.

Pennington, page 29



Sir Ernest Harrison, Racal chairman, warned of operating losses in its radio division

Lines found guilty of lying to investors

By JON ASHWORTH

THE former chairman and founder of MTM, the specialist chemicals group now known as Meristem, has been convicted of false accounting and lying to investors, at the conclusion of a five-month trial. Richard Lines, 60, was found guilty on three counts at the Old Bailey. His former finance director, Thomas Baxter, 45, was convicted on two counts, but acquitted on a third.

Sentencing is expected before Christmas. The case, brought by the Serious Fraud Office in conjunction with the North Yorkshire Police fraud squad, was triggered by a collapse in the MTM share price in March 1992. Investors, including pension funds and City institutions, suffered losses of £250 million.

Lines was convicted on two counts of false accounting, and one count of making misleading, false or deceptive statements. Baxter was convicted on one count of false accounting, and one count of making misleading, false or deceptive statements. He was acquitted on a further count of false accounting.

The jury had been told that Lines and Baxter "cooked the books" of MTM to make it appear more profitable than it was. Lines profited handsomely, selling shares worth £3 million in 1991, and using some of the money to buy a farm worth £1.8 million in North Yorkshire. He also owns a home in Cleveland which has a swimming pool and stables.

Lines was accused of making a series of false announcements about MTM's profitability, taking advantage of the buoyant share price to sell shares, and to fund the acquisition, in 1990, of Hardwick Chemicals. He was described by the prosecution as a "forceful" man who had "a clear and determined view of the direction in which he wanted to steer the business". He founded MTM after 11 years with ICI, and previously spent 15 years in the Royal Navy.

Mr Harvey-Jones, former chairman of ICI, appeared as a character witness at his trial. Matters came to a head after BDO Binder Hamlyn, the company's auditor, refused to sign off the accounts. Lines and Baxter were charged in December 1994.

BUSINESS TODAY

STOCK MARKET SERVICES	
FTSE 100	4000.00 (-1.15)
Yield	3.83%
FTSE All share	1976.89 (-8.28)
Nikkei	20574.69 (-84.57)
New York	6486.39 (-85.49)
Dax Composite	752.98 (-4.04)

US RATE	
Federal Funds	5.50% (5.50%)
Long Bond	101.70% (101.70%)
Yield	8.38% (8.37%)

LONDON MONEY	
3-month investment	8.70% (8.70%)
Life long gilt future (Dec)	112 (111.50)
STERLING	

STERLING	
New York	1.6837% (1.6823%)
London	1.6847% (1.6838%)
DM	2.5884% (2.5828%)
FFI	1.7777% (1.7765%)
SPX	2.5110% (2.5097%)
Yen	191.88 (191.21)
Euro	94.5 (94.0)

\$ \$ \$	
London	1.6486% (1.6375%)
DM	3.2350% (3.2220%)
FFI	1.2177% (1.2170%)
SPX	1.1270% (1.1267%)
Yen	97.8 (97.5)
Euro	8371.00 (8371.00)

* denotes midday trading price

Halifax resisting Abbey's rate rise

By CAROLINE MERRELL

THE HALIFAX, Britain's biggest building society, is resisting pressure to follow Abbey National and lift its loan rate.

It is holding rates at 6.99 per cent, in spite of the move yesterday by its biggest rival to lift loan rates by a quarter percentage point. The Coventry and the Northern Rock also announced increases, bringing to five the lenders that have put up rates in response to the base rate rise six weeks ago. Then, many lenders said that they would not lift rates for fear of damaging the housing market recovery. Most now say they are reviewing their rates.

Many societies expect the Government to increase base rates by another quarter point next week after it meets the Bank of England.

Abbey National's rate means that its 1.6 million borrowers with mortgages of up to £60,000 will pay 7.29 per cent. Those with loans exceeding £60,000 will pay 7.24 per cent. Repayments on a £50,000 loan will now be £339 a month — up £7.

Abbey said that it has raised its rates to offer its 12 million savers better deals. It plans to lift savings rates by up to a quarter point this week.

The Northern Rock raised rates for new borrowers by a half point, to 7.49 per cent. The Coventry lifted its rate to 7.25 per cent, from 6.99 per cent.

The Halifax House Price Index today indicates prices up 0.5 per cent last month, after October's 1.7 per cent rise, to put annual house price inflation at 7 per cent.

Gerald Ratner back on the treadmill

By JON ASHWORTH



GERALD RATNER, who revolutionised the British jewellery trade, is opening a fitness centre in Henley-on-Thames — his most visible venture since an ill-fated change four years ago prompted a

a change of career.

Mr Ratner, 47, has teamed up with Tony Colborne, a Henley businessman, to launch The Workshop, the first in a possible string of fitness clubs. It is due to open next Easter, luring local high-rollers with virtual reality bicycles and other futuristic treats. Membership costs £50 a month, with a £20 joining fee.

Where other businessmen dream up winning ideas in the bath, Mr Ratner has gone one better. With time on his hands after leaving Ratners, he started going to the gym, and liked exercising so much that he decided to make a career of it. "I feel much better for it," he said, speaking

from his home at Bray, along the river from Henley. "I have an enormous amount of energy, and feel in a good frame of mind." He works out three times a week using a personal trainer.

Mr Ratner felt that Henley was lacking in gyms, and set about tailor-making his own venue. Work has started on a 15,000 sq ft site, half a mile from Henley's high street, and 15 minutes from his own door. Mr Ratner and his partner have invested £2 million pounds in the venture.

Patrons will enjoy the use of virtual reality cycling machines, which will create the impression of racing against other cyclists. Less competitive sorts will be able to cycle off "down the street" — much more interesting than staring at a blank wall. Considerable sums are being invested in multi-media televisions.

Mr Ratner intends to cut a visible

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Top firms elect fewer women directors

By PHILIP BASSETT, INDUSTRIAL EDITOR

FEWER women are being elected to the boards of Britain's biggest companies, even in businesses overtly favourable to women, the leading organisation for women in business has acknowledged.

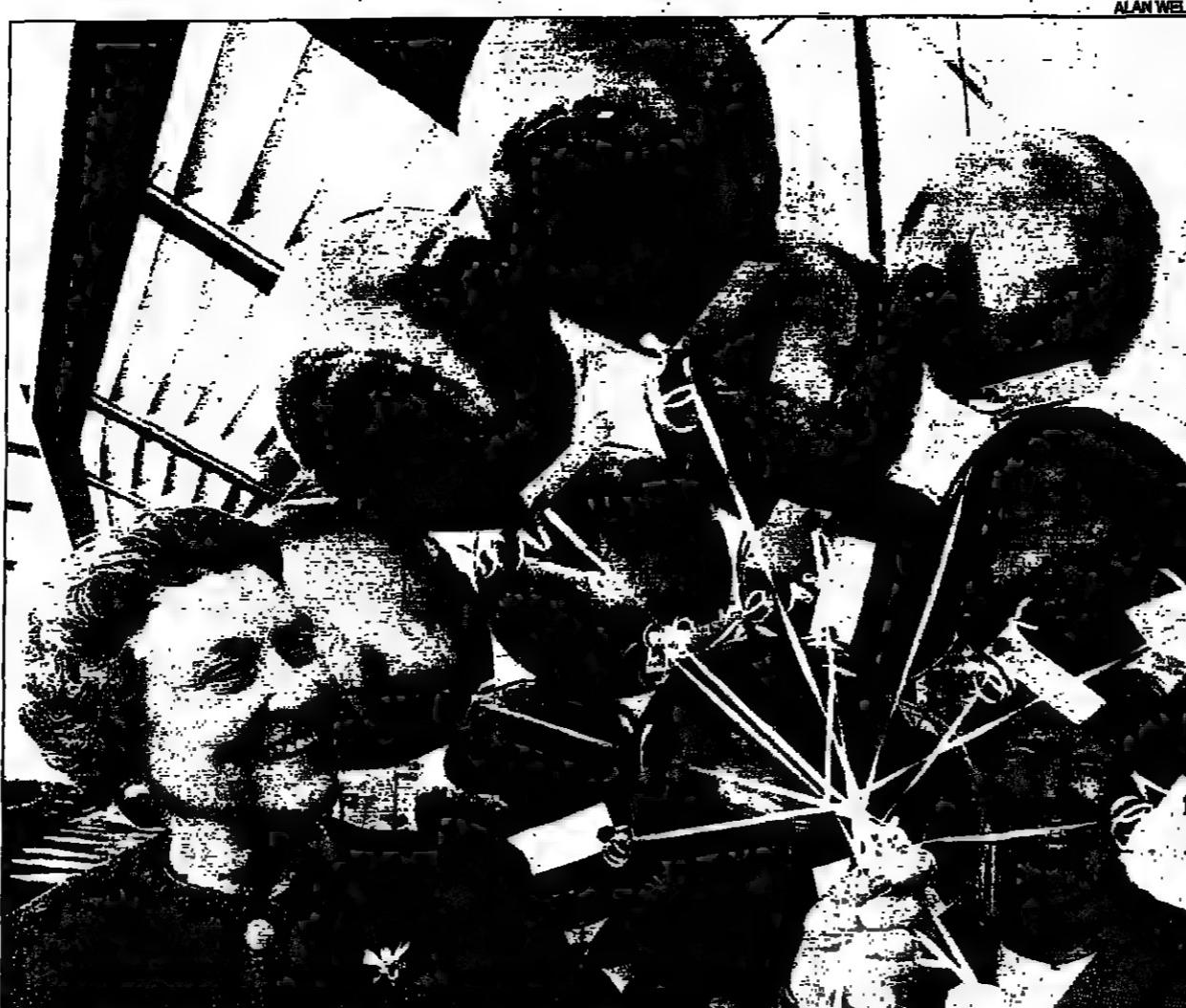
The fall is a blow to leaders of the Opportunity 2000, Business in the Community campaign, which yesterday marked its fifth anniversary of its launch by the Prime Minister.

Campaign leaders acknowledged that even in organisations that are members of the Opportunity 2000 initiative the proportion of women directors fell in 1996, from 16 per cent to 11 per cent. But they said this followed a doubling of the level in the 12 months to October.

Offer relents to phase in power switch

THE electricity industry regulator has bowed to pressure from electricity companies by agreeing to phase in competition for the household supply of electricity from April 1998 (Eric Reguly).

Professor Stephen Littlechild had suggested the industry was dragging its heels. The regional electricity companies said it would be difficult to enable all the country's 20 million households to choose their supplier by next April. Under Offer's new proposals, competition will begin on the same date but will be limited to an equivalent 10 per cent of total households. The second phase, covering an additional 3½ million customers, will begin two months later, while the third will begin at the end of July.



Lady Howe, left, chairman of Opportunity 2000, and Liz Bargh, director, publicising the campaign yesterday

Civil servants' leaders vote for MSF merger

By OUR INDUSTRIAL EDITOR

BRITAIN'S main white-collar trade union for private-sector employees looks set to expand extensively into the public sector after leaders of the professional civil servants' union voted for a merger.

The move could be one of the most significant trade union mergers in recent years. It could run into considerable opposition from the membership of the civil servants' union, from other unions in the Civil Service and from the Government.

Leaders of the Institution of Professionals, Managers and Specialists, which represents more than 70,000 professional staff in the Civil Service and privatised concerns, decided at the weekend to seek a full merger with the Manufacturing, Science and Finance union, which represents more

than half a million general technical staff.

After failing to draw together a range of smaller white-collar unions into a full federation, the IPMS had been examining merger proposals from a number of unions.

Government bargaining units with which the IPMS negotiates — including defence establishments — may also be uneasy about the move, although IPMS leaders believe that a possible change of government at the election is likely to preclude significant changes in union recognition arrangements if the MSF moves into the Civil Service.

MSF leaders will welcome the IPMS executive's vote. They believe merger would give them a platform in key areas of the public sector, and boost the organisation of the MSF, which has recently emerged from financial difficulties.

Investors back Emap expulsion of directors

By OLIVER AUGUST AND FRANK LE DUC

EMAP shareholders have voted two rebel non-executive directors off the board by a 91-majority after months of dispute over changes in the articles of association.

Sir John Hoskyns, chairman, said that he could no longer work with Joe Cooke and Ken Simmonds because the mutual trust between them had broken down since the annual meeting in July, when the two directors voted against a rule change that allows the board to remove directors by a 75 per cent majority vote.

Sir John told a special meeting that there were no immediate plans to replace Mr Cooke and Mr Simmonds, but people would be interviewed with a view to replacing other non-executive directors due to stand down next year.

Several institutional investors that backed the removal are understood to have done so on condition that Mr Cooke and Mr Simmonds be replaced. Sir John said he would prefer non-executive directors to be reduced by two permanently.

Sir John had assured shareholders in July that the new rules were not being introduced to remove the rebels, but, after further clashes, the board excluded the rebels and then moved to expel them.

Mr Cooke, who called for

BUSINESS PICTURES

MAM sells Swiss bank for £113m

MERCURY ASSET MANAGEMENT, the UK's biggest independent fund manager, has sold Mercury Bank, its Swiss private banking subsidiary, for about £113 million. The sale, to the Swiss private banking arm of Safra Holdings, the US company, is in keeping with Mercury's strategy of concentrating on its core business of fund management.

Hugh Stevenson, MAM chairman, said: "We are delighted with the terms of the transaction. Throughout the sale discussions, we have been anxious to ensure the best interests of Mercury Bank's clients are safeguarded." The company said it did not plan any further disposals immediately. Mercury Asset Management will spend the proceeds of the sale on buying fixed-interest securities. Mercury Bank contributed £8.9 million of the total £140.4 million profits made by MAM for the year ending March 31, 1996.

Celsis pioneers test

CELSIS INTERNATIONAL, the microbial diagnostics company, has launched a rapid-detection test for the *E. coli* O157 bacterium, which was responsible for the food-poisoning outbreak in Lancashire. The outbreak has so far claimed five lives and more than 50 victims are in hospital across Central Scotland. The test uses a dip-stick and works as simply as a home-pregnancy test, Celsis said, and will confirm the presence of *E. coli* within minutes as opposed to the hours or even days required by some other techniques.

Young buys Madison

H YOUNG, the marketing and distribution group, has agreed to buy Madison, the bicycle parts distributor, for £5.86 million in cash and shares. The company, which last made an acquisition two years ago, is funding the deal with a £5.7 million placing and open offer, and the rest through borrowings. In the year to September 30, Young's pre-tax profits were £2.62 million (£2.01 million) with earnings of 11.6p a share (8.6p). A final dividend of 2.6p makes a total of 4.2p (3.9p) and is due January 31.

BTP warning on pound

BTP, the speciality chemicals company, gave warning yesterday that the strength of sterling could wipe up to £2 million from its profit by the end of the year. But Stephen Hartman, chief executive, said the loss would be on paper. BTP, which earns 70 per cent of its profits from overseas, returned pre-tax profits 13 per cent ahead, at £23.7 million, for the six months to September 30. Earnings were 9.91p (9.07p); an interim dividend of 4.05p (3.85p) is due on February 10. The shares fell 7p yesterday to 30.5p.

Kenwood bid backing

THE UK Active Value Fund, holder of a 9 per cent stake in Kenwood, stepped up its pressure on the household appliance company's management yesterday, urging its board to give proper consideration to a reported informal bid approach by Pitco, a fellow manufacturer of domestic appliances. Kenwood shares rose 13p to 233½p yesterday. The company is due to report half-year results today. Kenwood is currently capitalised at around £107 million.

Acal interim higher

ACAL, the electronics company, increased pre-tax profits to £4.65 million from £4.45 million in the six months to September 30. Earnings per share rose to 14.2p from 13.5p and the interim dividend was lifted from 2.75p to 3.16p. John Curry, chairman, said Acal's traditional agency business in electronic components, systems and industrial controls saw sales and profit growth in the first half. The PC parts unit performed unsatisfactorily, but problems had now been resolved.

Croda profits ahead

CRODA INTERNATIONAL, the chemicals company, said provisional figures for the third quarter showed a 35 per cent rise in pre-tax profits on sales that were 9 per cent higher. It said demand levels and new products gave the company optimism but that sterling's strength could dent export margins. Michael Valentine, chairman, said improving demand and new products gave grounds for optimism but that if the current rates of exchange of sterling persisted, they would reduce export margin. The shares were unchanged at 336p.

Have you calculated the real cost of airline loyalty schemes to your company?

travelling executives were choosing flights which earned maximum points rather than sticking to airlines offering the most economic flights

The Financial Times 7/10/96 (from MORI survey)

TOURIST RATES

	Bank Rate	Bank Rate
Australia S	2.15	1.99
Austria Sch	19.20	17.70
Belgium Fr	2.62	2.52
Canada \$	2.25	2.16
Cyprus Cyp	0.815	0.780
Denmark Kr	10.49	9.89
Finland Fr	8.53	8.25
France Fr	8.18	8.53
Germany DM	2.74	2.53
Greece Dr	4.24	3.89
Hong Kong \$	10.45	12.39
Iceland Kr	1.20	1.00
Ireland £	1.05	0.97
Israel Shek	5.77	5.12
Italy Lira	225.00	200.00
Japan Yen	204.50	191.00
Malta	0.944	0.939
Netherlands Gld	3.054	2.804
New Zealand \$	2.51	2.29
Norway Kr	1.15	1.00
Portugal Esc	272.00	252.20
S Africa Rd	8.82	7.92
Spain Pes	226.50	212.20
Sweden Kr	11.18	10.28
Switzerland Fr	2.33	2.18
Turkey Lira	179400	167400
USA \$	1.779	1.648

Rates for small denomination bank notes and travellers' cheques. Some P.L.C. different rates apply to travellers' cheques. Rates as at close of trading yesterday.

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Lenders bet on no immediate rate rise Buyers circle around Freemans Order gap clobbers electronics shares

TIME was when, on moving house, you could expect the estate agents to lie through their teeth, your vendor to swindle you and your fellow purchasers to gazzump. But at least you could rely on your dull, slow, safe old building society.

No more, it seems. As the building societies become banks, so does their behaviour seem more — well, bank-like, and that is not intended as a compliment. Abbey National was painting its quarter-point rises as a bid to help starving investors, who in a low-inflation environment have had to put up with lousy returns on their savings. If a few million mortgage-holders have to pay more to correct this, then fair's fair.

Except that the Abbey's rise, and those of the other lenders that followed it, is more to do with widening margins and raising profits, because while home owners have to pay an extra quarter point on their mortgages, investors see average rises of 0.11 per cent, on the new rates to be announced on Thursday. The bank keeps the difference.

There is also an unreality about the quoted mortgage rates, because of the proliferation of special packages, low-start mortgages, cash-back offers and other gimmicks used to attract new borrowers. This means that those people moving house, or

Truths shrouded by Abbey habit

prepared to move their loans, are being subsidised by those staying put, in their homes or at their existing lenders. So much for loyalty — the lenders now make their profits out of consumer ignorance and inertia.

Still, let us try to be positive. The move by the Abbey and its rivals suggests that the next rise in base rates may be some way off. The Halifax will certainly follow suit after the next meeting between Chancellor and Bank Governor a week tomorrow. The Chancellor is assuming that the further base rate rise his Budget performance makes is a virtual certainty. Sensible City analysts, those not rushing around waiting for the sky to fall, expect a further quarter point on rates early in the spring, after the next inflation report, the first estimate of this quarter's GDP and some indication how Christmas retail sales went.

This will not damage the housing market, or threaten any reversal of the price rises so far and the 7 per cent rise for this year that the Halifax is shooting for today. Politically, mortgage

rates cannot rise too far before the election, because this would threaten the spring home-selling season and what "feel-good" factor there is around.

Come the election, and interest rates will have to rise. This is not meant as a party-political point, but they will rise fastest under a Labour Government determined to demonstrate its fiscal responsibility by heeding advice from the Bank to raise them. Base rates have not been in double figures since 1992, and it would require a mismanagement of the economy beyond the abilities of the two main contenders to push them back there again.

Catalogue of aspirations

WELL-LEAKED reports of the auction for the Freemans mail-order business, which could be under new ownership by Christmas, coincide with a study of why anyone should want to be in mail order in the first place, a business with a peculiar inability to shake off a cheap and tatty image despite heavy investment.

PENNINGTON



Home shopping should have been one of the success stories of the 1990s. Those with money work longer hours, while retail innovations such as loyalty cards and proposed moves into banking throw up exactly the kind of consumer data needed by mail order operators to identify the right customers. Such "narrow-casting" is the key to home shopping, so saving on production and posting costs.

As Corporate Intelligence on Retailing, the specialist consultancy, says: "While the 1,000-page agency catalogues are often compared to department stores, there is still no equivalent of Harrods or Harvey Nichols in the mail order world." Mail order sales are being outpaced

by other forms of retailing, and the industry has to replace its traditional downmarket consumer base with more prosperous customers.

The consultancy says one way forward is collaboration between high street retailers and mail order companies. If so, then the traffic is currently in the other direction. The most likely purchasers for Freemans, from Liam Strong's troubled Sears, are Littlewoods and Germany's Otto Versand, already involved in downmarket mail order. By contrast, consider the widely-rumoured entry into home shopping by Marks & Spencer, and the potential of a clothing catalogue with the same customer loyalty M&S already enjoys.

Racal's fickle finger...

THERE is something distinctly odd, at first glance, about Racal Electronics' profit warning yesterday. On second glance, and all subsequent readings, too.

Or perhaps it is just that fickle finger of fate, because Racal

coincide with yesterday's warning, so allowing the City to ask all the necessary questions, the company could only witter on about logistics".

The share price says it all. Racal shares are now below where they started the year, after a hefty jump in early summer. The company has since lost out on one big military contract, and another has been deferred. With such a lumpy orders performance, an erratic share price is the least investors can expect.

Judgment of peers

FAMILIARITY evidently breeds contempt for the Keswick family's Jardine Matheson portfolio, whose oriental achievements impressed from afar for so long. In 1995, Trafalgar House, the most prominent British textile, was voted, in *Management Today*, the company least admired by its peers in rival boardrooms. After Trafalgar's rescue takeover by Kværner, the 260th and bottom spot inevitably went to Eurotunnel. How could it be otherwise? At 259, however, lurks Kwik Save, the fast-shrinking downmarket retailer that was supposed to be the other British jewel in the Keswicks' crown. Only that same Liam Strong, at Sears, down from 131 to 257, is seriously trying to spare their blushes.

S&N's 26% rise cheers the brewers

BY ALAN MURRAY

BREWING shares leapt yesterday after Scottish & Newcastle unveiled a sparkling half-year performance.

The company reported a 26 per cent rise in pre-tax interim profits, to £195 million, well above City expectations. Turnover rose by 24 per cent, to £1.66 billion.

S&N shares rose 1p, to 650p, as analysts upgraded full-year profit forecasts by about £10 million, to £380 million. Other brewers gained from S&N's confident outlook, with Whitbread rising 2.5p, to a new high of 769p, and Bass up 3p, to 761.5p.

S&N increased profits in its brewing division by 67 per cent, to £90 million, including the first full six months from Courage. The company said that it suffered a small fall in total volumes, but a better mix had improved margins. John Smith's, its main bitter brand, increased sales by 17 per cent. Volumes of Kronenbourg, the

premium lager brand, rose 13 per cent.

Profits in the retail division rose 12 per cent, to £75 million, boosted by a 13 per cent rise in food sales. The company — which owns brands such as Rat & Parrot, Barras & Co and Chef & Brewer — added 160 new branded pubs during the period to a managed house estate now totalling 1,900.

Brian Stewart, chief executive, said that S&N was looking to add 150 Chef & Brewers over the next two years to improve food takings further.

Leisure division profits fell 11 per cent, to £45 million. The company blamed £2 million of exceptional costs incurred after restructuring of Center Parc operations combined with negative currency movements.

S&N said that trading on the Continent remained slow.

A 7.25p interim payout, up 10 per cent, is due on February 7.

Tempus, page 30

Troubled Wickes set to launch £50m call

WICKES, the builders' merchant whose former senior managers are under investigation by the Serious Fraud Office, is expected to launch the prospectus for a £50 million rights issue late next week (Sarah Cunningham writes).

The company was earlier expected to try to raise about £30 million, but has since realised that it needs more cash to plug the gap left by three years of profit overstatement. The

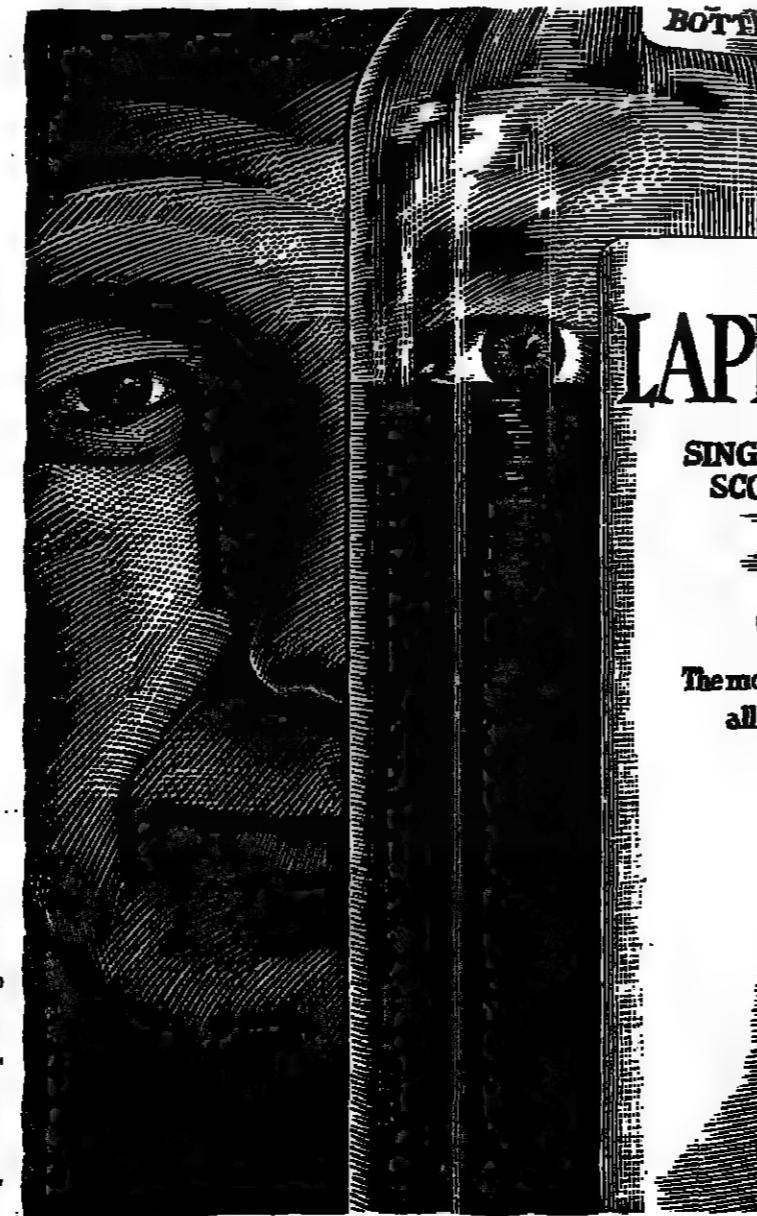
recapitalisation will allow trading in its shares, suspended in June after accounting irregularities were uncovered, to resume in January.

In October, after an investigation by accountants and solicitors, Wickes disclosed that, in the three years to the end of 1995, it had overstated profits by £51 million. It said there had been "deliberate misrepresentation" of rebate arrangements with suppliers.

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STOCK MARKET

MICHAEL CLARK

Abbey rate increase adds to investor nervousness

STOCK MARKET investors now seem resigned to the prospect of another rise in interest rates before too long. As if to focus their minds, Abbey National pushed up its rate to borrowers by an extra quarter-point, providing sterling with an excuse to move ahead against its main rivals but also bringing more headaches for Britain's exporters. Combined with hefty opening losses on Wall Street, where the Dow Jones tumbled almost 50 points in early trading, this gave no incentive to investors.

The FTSE 100 index closed 19.5 points down at 4,038.5 but selling pressure was minimal, reflected in the low level of turnover generally that saw 553 million shares traded.

The Abbey National's decision to follow the lead of rival Nationwide and push up rates earned it a rise of 12½p at 70½p. Behind that were stories of a bid from Prudential Corporation, 1½p firmer at 488p, still doing the rounds.

The biggest faller among the top 200 shares was Racial Electronics after a surprise profit warning. The shares finished 50p down, or almost 18 per cent at 225p ahead of interim figures on Thursday.

The market had been looking for a half-year pre-tax profits of almost £40 million but Racial said it expected to report £21 million. A dip in radio orders was blamed. A total of 7.35 million shares changed hands.

Sears slipped 1p to 92½p after confirming what the City had suspected for some time—that a "for sale" sign had gone up at its Freemans mail order operation. Prospective buyers include Otto Versund, the German retailer, privately-owned Littlewoods and Great Universal Stores, down 7½p to 166½p ahead of interim figures on Thursday. Freemans is expected to command a price tag of between £350 million and £400 million. That compares with the £477 million Sears paid for the business a few years ago.

Torna fell 7p to 270p after a downgrading by Morgan Stanley, the US securities house. Meanwhile Redland began to regain its composure after last week's sharp fall. The price firmed 3p to 373p as Kleinwort Benson, the broker, told clients the price had fallen too far.

News that bid talks had collapsed left Berisford, the



Rusi Kathoke, left, and Ian Harvey saw BTG shares fall 75p

Magnet kitchen furniture group, 9p lower at 135p. City speculators are still hoping that another bid will materialise.

Siebe was a nervous market ahead of interim figures today, with the price dropping 9½p to 940p. Brokers have forecast pre-tax profits of £216 million against £166.2 million last time.

Courtaulds slipped 3p to 397p, only 3½p above its low for the year, continuing the slide after the profits warning in July that has undermined the shares. The accurates meet soon to review the constituents making up the top 100 companies. If Courtaulds loses its position it could lead to a further sell-off.

BTG, the technology transfer company led by Ian Harvey, chief executive, and Rusi Kathoke, finance director, failed to capitalise on a return to the black during the first six months of the year, with the shares falling 75p to £24.37½p as the profitakers moved in. Pre-tax profits were £10.700 million compared with a deficit last time of £2.1 million. The shares ended the day up down at 7½p after the group re-

vealed it had received a number of bid approaches, all of which valued the group at a discount. This follows the failure of its proposed acquisition of The Drift Golf Club for which a deadline of last Friday had been set.

Scottish & Newcastle jumped 22p to 66½p after the group confirmed that the cost saving targets was being met at Courage, its recent acquisition. As better than expected half-year figures revealed, the rest of its brewing operations remain flat and Center Parcs is still finding the going difficult. Brokers are looking for between £370 million and £375 million for the final outcome.

First-time dealing in Semple Cochrane, the business services group, got off to a flying start after a placing at 180p. The price opened at 217½p and never looked back before closing at its best of the day at 218½p, a premium of 38½p. Brokers have been talking the stock up to the 250p level in the short term.

Wace edged 1½p higher to 78½p having worked itself up from a low of 56½p in recent weeks. The price still stands well below the 270p high for the year, but brokers claim the selling has been overdone.

Pifco, the household appliances group, was unmoved at 283p on reports it wants to bid for Kenwood, its bigger rival, 13p dearer at 233½p. At these levels Kenwood carries a price tag of more than £100 million while Pifco is less than half that size.

GILT-EDGED: The decline in the purchasing managers' index came as a pleasant surprise, although prices closed below their best levels of the day. The highest gains were seen at the longer end of the market, resulting in a further flattening of the yield curve.

In futures the December series of the long gilt closed five ticks better at 112½ as the total number of contracts completed reached 47,000.

In the cash market, Treasury 8 per cent 2015 put on 13½p at 1105½, while in shorts Treasury 8 per cent 2000 finished three ticks lower at 1103½.

NEW YORK: Shares on Wall Street were mostly weaker in morning trading, with retailing and technology sectors the exceptions. By midday the Dow Jones industrial average was 35.40 points lower at 3,340.50.

EUROPE: The stock market in Paris closed 8 per cent lower at 1,111½, while in Frankfurt the Dax was 10½p lower at 2,858.60.

ASIA: The Nikkei average in Tokyo closed 206.69 points lower at 3,457.07.

HONG KONG: The Hang Seng index closed 1,317.36 points lower at 12,133.63.

AMSTERDAM: The Eos index closed 27.24 points lower at 2,385.11.

FRANKFURT: The Dax closed 28.60 points lower at 2,858.60.

SINGAPORE: The Sgxix closed 210.41 points lower at 1,522.32.

BRUSSELS: The BEL 100 closed 104.98 points lower at 2,986.14.

PARIS: The CAC 40 closed 731.03 points lower at 3,971.97.

ZURICH: The SMI closed 83.40 points lower at 8,614.60.

LONDON: The FTSE 100 closed 19.26 points lower at 1,919.25.

FTSE 100: The FTSE 100 closed 19.26 points lower at 1,919.25.

FTSE 350: The FTSE 350 closed 305.24 points lower at 2,403.40.

FTSE Eurotrack 100: The FTSE Eurotrack 100 closed 187.53 points lower at 1,976.89.

FTSE All-Share: The FTSE All-Share closed 197.89 points lower at 1,976.89.

FTSE Non-Financials: The FTSE Non-Financials closed 205.68 points lower at 945.64.

FTSE Financials: The FTSE Financials closed 218.28 points lower at 924.65.

FTSE Services Best: The FTSE Services Best closed 369.90 points lower at 999.00.

FTSE Consumer Goods: The FTSE Consumer Goods closed 553.88 points lower at 5,533.88.

FTSE Volume: The FTSE Volume closed 192.82 points lower at 1,959.00.

FTSE US: The FTSE US closed 1,689.51 points lower at 10,045.00.

FTSE Germany: The FTSE Germany closed 2,988.00 points lower at 9,945.64.

FTSE France: The FTSE France closed 2,264.00 points lower at 9,945.64.

FTSE UK: The FTSE UK closed 1,332.60 points lower at 5,147.00.

FTSE All-Share: The FTSE All-Share closed 153.60 points lower at 5,147.00.

FTSE 100: The FTSE 100 closed 153.60 points lower at 5,147.00.

FTSE 350: The FTSE 350 closed 153.60 points lower at 5,147.00.

FTSE Eurotrack 100: The FTSE Eurotrack 100 closed 153.60 points lower at 5,147.00.

FTSE All-Share: The FTSE All-Share closed 153.60 points lower at 5,147.00.

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FTSE Financials:



THE
TIMES

CITY
DIARY

Sainsbury's up the junction

SAINSBURY'S state-of-the-art store in Clapham is a dry house, after the supermarket chain failed to obtain a drinks licence.

A week since the store's grand opening on Budget day, and customers are still going thirsty. Due to a "misunderstanding", a sign in the wine and spirits aisle reads: "The licensing justices have not yet granted us a licence to sell liquor."

Sainsbury tells me that a hearing today with the local magistrate could bring welcome news. Meanwhile, it's smiles all round at Victoria Wharf and Oddbins next door.

Governor's try

EDDIE GEORGE took on Higashi Tonuru, chairman of Nomura in Europe, at Twickenham last Saturday. Gambling on the England v New Zealand match, the two men pitted their forecasting skills in a rugby sweepstake.

The Governor's position was looking strong until half time, with his money on England scoring first, and an England victory by three points. But it was "Tono" who hit the jackpot, predicting the outcome exactly, with England scoring first and New Zealand winning by 15 points.

Unfortunately for the passionate anglophile, he wasn't the only one to fare so well. The winning name was eventually pulled out of a hat, and a fellow guest ran off with the prize — a bottle of Jameson's.



"Don't look now but here comes Santa with our 1-point increase"

THE ban on advertising alcohol in France means that Scottish and Newcastle has been relegated to the bench for tomorrow's Auxerre v Glasgow Rangers match. Instead of sporting the McSwans logo, Gazza's team will wear one-off shirts bearing the Centre Parcs symbol. Gazza won't muddy a shirt himself, whatever its design, as he is suspended for the game.

Hector's hiccup
HOIST by its own petard, Financial Dynamics yesterday fell victim to the malice of the office fax machine. Addressed to Roland Polz of Foreign & Colonial Management, a misdirected fax from FD's Charles Watson lands on my desk. Delighted with Hypo Bank's recent move to take management control of F&C, Watson suggests that a celebratory lunch to mark the success of Project Hector. Ever the professional, Watson adds: "We will also be sending you an invoice for expenses incurred during the project, such as press release distribution..."

Off their trolleys
AT EMAPS extraordinary meeting to decide the fate of two rebel directors, shareholders were treated to a joke by Anne Simpson, joint director of Pirc, the research consultant. Question: What's the difference between a non-executive director and a supermarket trolley? Answer: You can get lots of food and drink into both, but supermarket trolleys have a mind of their own;

MORAG PRESTON

Touch of bitter-bitten spices latest 'Chainsaw Al' massacre

Ian Brodie on the company doctor of last resort with a well-honed flair for 'Dunlapping'

Albert J. Dunlap, also known as "Chainsaw Al", has been enjoying more publicity as a saviour of troubled companies than any American business leader since the flamboyant reign of Lee Iacocca at Chrysler.

Reporters have been lining up to interview him about his latest mass sackings. He has just taken his axe to half the 12,000 jobs at Sunbeam Corp., the sprawling consumer products company. He has also been promoting his new autobiography, *Mean Business: How I Save Bad Companies and Make Good Companies Great*. The book uses "to Dunlap" as a verb, meaning to turn a company around at lightning speed.

Now, suddenly, the bitter has been bitten. Mr Dunlap's private life has been turned into public fodder. *Business Week* alleged that family ties seemingly meant less to him than he asserts in his book. He writes that what makes a successful individual comes down to one word, family, and he wishes that his parents were still alive to "see what they created".

But his estranged sister Denise alleges that he ignored his parents in their old age and was too busy to attend their funerals, that he refused to offer her emotional or financial help when she told him her daughter had leukaemia, and that his first wife alleged extreme cruelty in her divorce suit.

He was said to have shaded the details of his youth. His book says that he grew up poor in a New Jersey slum, the son of a dockworker. His sister says their father was a successful oilfield worker who took the family on holidays, recorded in photo albums, from Canada to Florida. She says her parents rewarded Mr Dunlap with a new car and a holiday in Europe when he graduated as an army officer from West Point military academy.

Mr Dunlap is no longer available for interviews. Instead of propounding his hard-charging theories as "the doctor of last resort", he issued a statement rebutting some but not all of his sister's comments. He said that he had endured a strained relationship with her for years and she was prone to making up stories about him that were baseless or exaggerated. He had supported her many times financially but his efforts were never appreciated. He was deeply saddened by her unfounded comments about his parents, whom he had loved "very much" and had helped a great deal.

As for intimidating his first wife, as court papers alleged, Mr Dunlap said that in those days divorces were difficult to obtain unless couples embellished their evidence. Besides, he added, it was inappropriate to discuss family matters in the press. That might normally be the case, said *Business Week* but Mr Dunlap had made his life story part of his controversial management philosophy and therefore his



Albert J. Dunlap, above, christened 'Pinstripe Rambo' by his former employer, Sir James Goldsmith, below right, seen with Kerry Packer

character was a legitimate subject for scrutiny. For Mr Dunlap, the episode was a rare setback.

After his army stint, he learnt manufacturing from the shop floor up. An early management coup was the aggressive transformation of an ailing paper-cop firm, Lily-Tulip Inc, into a profitable plum. He was recruited by Sir James Goldsmith, whose friend John Aspinall, the naturalist and gambler, first coined the "chainsaw" label. Mr Dunlap complains that it makes him sound like a serial killer. He prefers Sir James's nickname for him: "Rambo in Pinstripes".

Mr Dunlap shook up Sir James's global holdings, including Crown-Zellerbach, a timber and oil conglomerate where he cut 22 distribution centres to four, sold the costly headquarters tower in San Francisco and moved to Oregon. He regards Sir

James as his mentor and lavishes praise on him in his book: "He was a larger-than-life influence on me, an absolutely brilliant, dynamic and gregarious man who fished me out of the corporate stream and made me what I am today. He encouraged me in everything I did and introduced me to a world of enormous wealth and power."

Moving to Australia, Mr Dunlap tackled Kerry Packer's Consolidated Press Holdings, a huge conglomerate, carving up 300 of 413 companies and discarding the unprofitable bits. Three years ago he was lured back to the United States by the board of Scott Paper, which had lost \$27 million in a year.

Mr Dunlap again went on the attack, slashing expenses, dumping product lines, merging others and paring debt. He dismissed 11,200 employees, a third of the workforce.

Impact of law on disability yet to be grasped by firms

Act offers ample opportunities to astute lawyers, writes Grania Langdon-Down



Disabled rights campaigners helped to bring about an important change in employment law

ers who ignore the rights of disabled workers now do so at their peril.

"Many employers are already used to dealing with the concept of discrimination in relation to race and sex and may believe they are well equipped to deal with the provisions of the Act."

"But many have not yet grasped its full impact. On the face of it, the obligations the Act imposes on employers to accommodate disabled people go much further than the law relating to sexual or racial discrimination."

The Act also lists examples of adjustments employers would be expected to make to accommodate a disabled worker. They extend far beyond simply removing physical limitations and include allocating some of the disabled person's duties to another person, altering work-

ing hours, allowing time off for rehabilitation, assessment or treatment, acquiring or modifying equipment, modifying procedures for testing, providing a reader or interpreter.

However, factors such as operational requirements and financial considerations will be taken into account in determining whether it is "reasonable" for the employer to make the adjustments.

The Government has estimated that it will cost employers on average £200 to accommodate a disabled person, although many suspect the bill will be much higher. Employers can be helped by charities and other organisations, including the government-backed Access to Work Scheme.

Ms Ellis said: "The Act means, for example, an employer should not simply dismiss a production worker who

suffers from long term back trouble and can no longer move easily or lift ordinary weights.

Instead, he must look at ways of adjusting the person's working conditions to overcome the problem."

Employers are also going to have to be aware of "disability etiquette", both in recruiting and in the workplace. For example, advertisements should no longer say "ring this telephone number" because that would suggest a prejudice against deaf people. They are also vicariously liable for the actions of their employees or agents so staff need to be properly trained.

Asked if the Act would stop discrimination, Ms Ellis said:

"What I can predict is a great deal of litigation. It is likely to turn into a field day for lawyers because so much of the wording is open to interpretation."



JANET
BUSH

Softly, softly catchee euro

Eurosceptics in Britain and elsewhere should not get too excited about the revolutionary mutterings in Paris last week. After years of putting up in silence with mass unemployment and annual waves of violent public-sector unrest all in the name of the *franc fort* and the dream of European monetary union, parts of the French political establishment appear to be questioning such self-sacrifice.

The former president, Giscard d'E斯塔ing, was the biggest name to break rank. He argued that the dollar is grossly undervalued against European currencies, expressed concern that Germany does not share this view, and suggested that if Germany will not bring down the mark, and with it the franc, then France should devalue against the mark by cutting rates.

Brought into Sunbeam as chairman and CEO last July, he followed his pattern of moving quickly to change the old guard and the timeworn corporate culture. He reassessed the turnaround specialist who helped him whenever he applies surgery to a sickly company. They fanned through Sunbeam seeking solutions. They returned with files five inches thick, recommending new marketing strategies, new advertising campaigns, a new slogan ("There's a New Sunbeam Shining") — and massive job cuts.

The 6,000 dismissals are perhaps the biggest single percentage cutback ever by a major US corporation. In addition, Mr Dunlap's recovery plan requires closing 15 of 26 factories and more than half the 61 warehouses, eliminating six regional headquarters and unloading 87 per cent of Sunbeam's 5,000 products, including clocks, furniture and bedding. He will concentrate on new lines among them an "electric blanket with a brain" that adjusts to body temperature, and a toaster that applies "logic" to its task.

Mr Dunlap said that his plan will save \$225 million a year. He expects revenue to double to \$2 billion by 1999, with \$1.2 billion coming from new products and joint ventures overseas. His plan cuts more deeply than Wall Street expected and there was the familiar criticism that Mr Dunlap was simply speeding up implementation of the original management's plans. His planned revenue growth will be hard going, but Sunbeam's shares have more than doubled from \$12 when Mr Dunlap joined, to a peak of \$29.75.

One Wall Street analyst told him during a conference call that "Chainsaw Al" was beginning to sound rather wimpy. "If you pull this off, you should be called 'Nuclear Al,'" he said.

The question of who is allowed to join the euro is a genuinely contentious one. But the chasm on how soft or hard the euro should be vis-à-vis other currencies may not actually be that wide. Hans Tietmeyer, the Bundesbank President, said at the weekend that he would not object to a "slightly stronger dollar" against the mark. For all the tough talk, Germany's exporters could do with ammunition against Far Eastern tigers and the Bundesbank may well be contented to let unwitting surrogates on its behalf.

Whatever the current disagreements, in the end France is likely to call the shots because Chancellor Kohl will do virtually anything to make sure the single currency goes ahead. Germany was notably more reluctant than France to see Italy readmitted to the ERM but France made sure it happened anyway. President Chirac publicly welcomed the prospect, Italy was emboldened formally to request readmission and, once the monetary committee was convened, it was inconceivable that Germany could stop the process without huge damage to the credibility of the single currency project.

If France went and cut rates on its own, the Bundesbank might be angry but it would be forced to bail out the franc unless it wanted to be accused of wrecking EMU. A less dramatic but still highly effective course for the French would simply be to talk down the mark and franc. There is little doubt that France will get its soft euro. The chances are it will block Germany's stability pact straitjacket, too.

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CITIBANK

THE CITI NEVER SLEEPS

Four vie for BR computer business

By KEITH RODGERS

THE British Railways Board has drawn up a shortlist of four potential buyers for BR Business Systems, its computer arm, early next year.

Final bids for the division, which provides ticketing and operating computer services for a range of customers including Railtrack and the train operating companies (TOCs), will be submitted this month, and the sale is expected to go through in February. Sources said the company is likely to be valued at up to £50 million.

Cap Gemini, the French quoted computer services company, and Sema, which is 41 per cent French owned and quoted in London and Paris, are understood to be on the shortlist, along with Andersen Consulting and CFM, a subsidiary of ICL. All four declined to comment on the sale.

One surprising absentee is EDS, the computer services giant, which has won a large number of public-sector computer contracts, including deals with the Inland Revenue and the Department of Social Security. The company submitted a bid, but its offer is believed to have been rejected as too low.

BRBS, which employs around 1,100 people, had turnover of about £87 million in the year to March 31, and is thought to be profitable. Although it has more than 80 customers, negotiations over the sale have been complicated by the contracts with Railtrack and TOCs, which form a key part of the division's business. Railtrack said that was not involved in the sell-off negotiations but "looks on with interest".

It is thought that the bids will be submitted at around £50 million. However, some observers have suggested that figure is high, arguing that the division requires a large amount of investment. The British Railways Board refused to comment.



David Michels, right, chief executive of Stakis, with Richard Cole-Hamilton, chairman, after unveiling full-year profits of £30 million yesterday

Stakis confident of profiting from Metropole integration

By ALASDAIR MURRAY

STAKIS, the leisure company, said yesterday it was confident that the performance of the Metropole hotel group would more than match forecasts made when it purchased the chain for £327 million from Lonrho at the end of October.

David Michels, chief executive, said that Stakis is aiming to add around £8 million in turnover and make £4 million of cost savings as it integrates

the hotel group this year. His comments came as the company unveiled a 23 per cent rise in full-year profits, excluding tax and exceptional, to £30.7 million, in line with a forecast made when it purchased the chain for £327 million from Lonrho at the end of October.

Turnover increased by 18.5 per cent, to £206 million, while the total dividend was increased by 23 per cent, to 2.15p.

Profits in the hotel division excludes any contribution from Metropole, which was

purchased after the year-end of September 30, rose by 29 per cent, to £40 million. Occupancy levels increased from 72.1 per cent to 76.3 per cent, while the average room rate rose from £43.94 to £46.37. The total number of rooms increased to 5,363, spread across 42 hotels.

Stakis said that it is in the process of building new hotels in the London borough of Islington, Belfast, Dublin and Sheffield, which will add a

further 635 rooms to the division. The company added that it remained confident about the market, especially as the low level of new builds should ensure room to continue improving margins.

Profits in the casino division fell to £9 million, from £11.7 million, after the company's exit from the London market with the £27 million sale of the Barracuda in April. Stakis said its new Riverboat Casino in Glasgow had started well

and the company is aiming to roll out the concept across six new sites.

Stakis also opened new sites in Cardiff and Bournemouth during the year, and in Gibraltar. The company added that the performance of the division was now improving although it would be some time before the full potential is realised.

The health and leisure division contributed a maiden profit of £600,000 in line with company expectations. Stakis said its new Riverboat Casino in Glasgow had started well

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Gilts up, equities down

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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High	Low	Company	Price	%	Yield	PE	High	Low	Company	Price	%	Yield	PE	High	Low	Company	Price	%	Yield	PE
ALCOHOL & BEVERAGE																				
555	419	Airton Distillery	173	-	4.7	143	655	535	Alpena	649	+14	2.9	18.5	250	245	Alpena Distillers	649	+14	2.9	18.5
708	528	Albion Breweries	121	-	1.2	22	145	245	Albion Distillers	621	-	1.2	19.2	245	240	Albion Distillers	621	-	1.2	19.2
1201	871	Albion Steamer	101	-	1.2	19.2	1201	1201	Albion Steamer	121	-	1.2	19.2	1201	1201	Albion Steamer	121	-	1.2	19.2
1201	871	Albion Steamer A	101	-	1.2	19.2	1201	1201	Albion Steamer A	121	-	1.2	19.2	1201	1201	Albion Steamer A	121	-	1.2	19.2
1201	871	Albion Steamer B	101	-	1.2	19.2	1201	1201	Albion Steamer B	121	-	1.2	19.2	1201	1201	Albion Steamer B	121	-	1.2	19.2
1201	871	Albion Steamer C	101	-	1.2	19.2	1201	1201	Albion Steamer C	121	-	1.2	19.2	1201	1201	Albion Steamer C	121	-	1.2	19.2
1201	871	Albion Steamer D	101	-	1.2	19.2	1201	1201	Albion Steamer D	121	-	1.2	19.2	1201	1201	Albion Steamer D	121	-	1.2	19.2
1201	871	Albion Steamer E	101	-	1.2	19.2	1201	1201	Albion Steamer E	121	-	1.2	19.2	1201	1201	Albion Steamer E	121	-	1.2	19.2
1201	871	Albion Steamer F	101	-	1.2	19.2	1201	1201	Albion Steamer F	121	-	1.2	19.2	1201	1201	Albion Steamer F	121	-	1.2	19.2
1201	871	Albion Steamer G	101	-	1.2	19.2	1201	1201	Albion Steamer G	121	-	1.2	19.2	1201	1201	Albion Steamer G	121	-	1.2	19.2
1201	871	Albion Steamer H	101	-	1.2	19.2	1201	1201	Albion Steamer H	121	-	1.2	19.2	1201	1201	Albion Steamer H	121	-	1.2	19.2
1201	871	Albion Steamer I	101	-	1.2	19.2	1201	1201	Albion Steamer I	121	-	1.2	19.2	1201	1201	Albion Steamer I	121	-	1.2	19.2
1201	871	Albion Steamer J	101	-	1.2	19.2	1201	1201	Albion Steamer J	121	-	1.2	19.2	1201	1201	Albion Steamer J	121	-	1.2	19.2
1201	871	Albion Steamer K	101	-	1.2	19.2	1201	1201	Albion Steamer K	121	-	1.2	19.2	1201	1201	Albion Steamer K	121	-	1.2	19.2
1201	871	Albion Steamer L	101	-	1.2	19.2	1201	1201	Albion Steamer L	121	-	1.2	19.2	1201	1201	Albion Steamer L	121	-	1.2	19.2
1201	871	Albion Steamer M	101	-	1.2	19.2	1201	1201	Albion Steamer M	121	-	1.2	19.2	1201	1201	Albion Steamer M	121	-	1.2	19.2
1201	871	Albion Steamer N	101	-	1.2	19.2	1201	1201	Albion Steamer N	121	-	1.2	19.2	1201	1201	Albion Steamer N	121	-	1.2	19.2
1201	871	Albion Steamer O	101	-	1.2	19.2	1201	1201	Albion Steamer O	121	-	1.2	19.2	1201	1201	Albion Steamer O	121	-	1.2	19.2
1201	871	Albion Steamer P	101	-	1.2	19.2	1201	1201	Albion Steamer P	121	-	1.2	19.2	1201	1201	Albion Steamer P	121	-	1.2	19.2
1201	871	Albion Steamer Q	101	-	1.2	19.2	1201	1201	Albion Steamer Q	121	-	1.2	19.2	1201	1201	Albion Steamer Q	121	-	1.2	19.2
1201	871	Albion Steamer R	101	-	1.2	19.2	1201	1201	Albion Steamer R	121	-	1.2	19.2	1201	1201	Albion Steamer R	121	-	1.2	19.2
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1201	871	Albion Steamer U	101	-	1.2	19.2	1201	1201	Albion Steamer U	121	-	1.2	19.2	1201	1201	Albion Steamer U	121	-	1.2	19.2
1201	871	Albion Steamer V	101	-	1.2	19.2	1201	1201	Albion Steamer V	121	-	1.2	19.2	1201	1201	Albion Steamer V	121	-	1.2	19.2
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1201	871	Albion Steamer X	101	-	1.2	19.2	1201	1201	Albion Steamer X	121	-	1.2	19.2	1201	1201	Albion Steamer X	121	-	1.2	19.2
1201	871	Albion Steamer Y	101	-	1.2	19.2	1201	1201	Albion Steamer Y	121	-	1.2	19.2	1201	1201	Albion Steamer Y	121	-	1.2	19.2
1201	871	Albion Steamer Z	101	-	1.2	19.2	1201	1201	Albion Steamer Z	121	-	1.2	19.2	1201	1201	Albion Steamer Z	121	-	1.2	19.2
1201	871	Albion Steamer AA	101	-	1.2	19.2	1201	1201	Albion Steamer AA	121	-	1.2	19.2	1201	1201	Albion Steamer AA	121	-	1.2	19.2
1201	871	Albion Steamer BB	101	-	1.2	19.2	1201	1201	Albion Steamer BB	121	-	1.2	19.2	1201	1201	Albion Steamer BB	121	-	1.2	19.2
1201	871	Albion Steamer CC	101	-	1.2	19.2	1201	1201	Albion Steamer CC	121	-	1.2	19.2	1201	1201	Albion Steamer CC	121	-	1.2	19.2
1201	871	Albion Steamer DD	101	-	1.2	19.2	1201	1201	Albion Steamer DD	121	-	1.2	19.2	1201	1201	Albion Steamer DD	121	-	1.2	19.2
1201	871	Albion Steamer EE	101	-	1.2	19.2	1201	1201	Albion Steamer EE	121	-	1.2	19.2	1201	1201	Albion Steamer EE	121	-	1.2	19.2
1201	871	Albion Steamer FF	101	-	1.2	19.2	1201	1201	Albion Steamer FF	121	-	1.2	19.2	1201	1201	Albion Steamer FF	121	-	1.2	19.2
1201	871	Albion Steamer GG	101	-	1.2	19.2	1201	1201	Albion Steamer GG	121	-	1.2	19.2	1201	1201	Albion Steamer GG	121	-	1.2	19.2
1201	871	Albion Steamer HH	101	-	1.2	19.2	1201	1201	Albion Steamer HH	121	-	1.2	19.2	1201	1201	Albion Steamer HH	121	-	1.2	19.2
1201	871	Albion Steamer II	101	-	1.2	19.2	1201	1201	Albion Steamer II	121	-	1.2	19.2	1201	1201	Albion Steamer II	121	-	1.2	19.2
1201	871	Albion Steamer III	101	-	1.2	19.2	1201	1201	Albion Steamer III	121	-	1.2	19.2	1201	1201	Albion Steamer III	121	-	1.2	19.2
1201	871	Albion Steamer IV	101	-	1.2	19.2	1201	1201												

LAW

Stephen Jacobi reports on the lorry drivers caught up in the drugs trade



Waiting game: Steve Bryant's father Peter reads a letter from his son while Danielle Neale (right), Mickey Chinnick's fiancée, prepares to visit him in jail



A case of rough justice

Steve Bryant, a 42-year-old lorry driver and father of four, went on a hunger strike in his squalid Tangier jail cell on November 1 in an attempt to secure better conditions. He finally ended it last week when he heard his demands were to be met and that his appeal would be expedited.

But such a victory brings little comfort when you face rough justice. He was arrested in January 1994 when cannabis was found under a consignment of frozen squid which was loaded into his trailer in his absence. For this he received the maximum jail term of ten years.

In Morocco, it is no defence to say that you were unaware that drugs were in your load. Only the French get respite because of their prisoner transfer scheme with Morocco.

In Bulgaria, two British drivers, Peter Hobbs and John Mills, from east London, are waiting to hear the result of their final appeal to the Supreme Court in Sofia. They were arrested on the Turkish border in 1995 after 20kg of heroin was found in an unlocked tool compartment on the outside of their rig to which anyone could have had

access. Their trial was reduced to the level of farce when the judge realised there was going to be a potential conflict of interest between them. A new lawyer was appointed but the case continued without the lawyer being given the opportunity to take instructions. They were sentenced to 7½ years in jail.

Two years earlier, in 1993, Mickey Chinnick, a 55-year-old driver from Scarborough, North Yorkshire, was arrested on the Turkish side of the border in disturbingly similar circumstances. He too, carried a consignment of motor vehicle spare parts to Turkey

from Britain and was ordered back via the same route with his empty lorry to pick up another load in Romania.

This time 7.5kg of heroin was found in an outer tool compartment of his vehicle. He has just completed his sentence of 3½ years. But despite being in poor health after a major operation, he is now serving an additional three years because he has no money to pay the £5,000 fine imposed on him.

It seems likely that these three cases are linked. "Piggy-back" smuggling — where drug gangs use a concealed package attached to the outer

part of a vehicle to smuggle illegal substances across frontiers without involving the driver — is a well-known and regular ploy.

The parcel is often strapped to the bottom of a couch in which the real couriers are passengers. Two weeks ago Clive Brown, a driver from Crawford, Kent, was cleared of a charge of smuggling 10kg of heroin from Britain, which was found strapped to the belly tank of his trailer. He, too, was returning from Romania.

There are encouraging signs that European Union law enforcement authorities are beginning to take drivers' vulnerability seriously in these circumstances very seriously.

A partnership to educate these authorities and drivers' organisations on the dangers they face has been formed by the Fair Trials Abroad Trust and the Committee of Transport Workers in the EC, with the approval of the World Customs Organisation in Brussels.

Outside the EU, however, the situation remains bleak, with no end in sight for the British, Dutch and German drivers held in Morocco, Turkey and the old Soviet empire. Most of the problems stem from ignorance and unfair

application of the law. Tachometers, known as the "spy in the cab", provide useful evidence of unauthorised lengthy stops or detours. Outside the EU, however, it is common for such evidence to be disregarded because lawyers and enforcement officers do not understand it.

There is widespread ignorance of transport industrial practice and the civilised judicial concept of the necessity of a guilty mind for an offence to be committed is disregarded in drivers' offences. The driver is, therefore, dependent on political and diplomatic pressure for fair consideration of his case before or after conviction. He is indeed out in the cold.

The Times Law Awards 1996



THERE is still time to enter the competition for *The Times* Law Awards 1996 with One Essex Court and win up to £3,000.

Students are invited to submit up to 1,000 words on "The Law Lords in the 90s — a New Supreme Court". The first prize is £3,000, the second £2,000 and the third £1,000. Three runners-up will receive £250. The essays will be judged by a panel led by Lord Mackay of Clashfern, the Lord Chancellor, and the winning entry will be published in *The Times*.

Further details can be obtained by ringing 0171-583 2000. The closing date is Friday.

Rights are wrong

SOLICITORS don't want advocacy rights — it's official. More than 25 per cent of City law firms see no use for solicitor advocates, and more than half are against the establishment of independent ones. Seventy-five per cent of the 46 firms in a survey by the City of London Solicitors' Company said there was a case for solicitor advocates but only 13 per cent favoured in-house advocacy units.

Carol concert CAROLS will be sung in law courts again this year to raise funds for the Citizens Advice Bureau in the Royal Courts of Justice. The Treasury Singers, conducted by Edward Adams, an official in the Lord Chancellor's Department, will perform in the Royal Courts of Justice at lunchtime on December 12. A collection is made for the CAB in the RCI, which is run as a charitable trust. The bureau now has a special project to support litigants who do not have a lawyer — in line with proposals from Lord Justice Oton. The scheme is manned partly by

staff paid for by the Lord Chancellor's Department, and partly by volunteer lawyers.

Party pooper

LAW firms are already giving warnings of the perils of Christmas parties. The employment unit at Franks Charles & Co is telling clients to think twice about which entertainers they invite to their company's Christmas party. The advice follows the landmark ruling that a hotel group was liable for the offence.

Manning offended staff

sive remarks the comedian Bernard Manning made to two of its waitresses during a function.

"To protect themselves against expensive claims and to help all of their staff have a good time every employer should bear this case in mind when planning its Christmas or other parties," says a bulletin issued by the London firm.

Tough love PARENTS who find their children seized in the trauma of a "tug of love" case can obtain advice in a new booklet launched by Gary Streeter, Minister in the Lord Chancellor's Department. Parents "in this traumatic situation have speedy access to the professional advice and guidance they need," he said. Details from the Child Abduction Unit: 0171-911 7047.

Growing pains THE workload at Tower Hamlets Barristers' Chambers off Brick Lane has increased so much that the chambers has now opened an

annexe. David Penny-Davey, QC, Bar chairman, said at its recent opening that there was a need for such a chambers outside the walls of Court to improve access to justice, irrespective of caste, creed, colour or economic status. The chambers and annexe are located in a densely populated Bangladeshi community. It gives free advice on Saturday mornings.

Record time

IS THIS a record? Those who complain that solicitors are slow with wills and conveyancing might note that Edge & Ellison did its bit in a multi-million-dollar company sale in 53 hours.

ComputerVision Corporation, of Massachusetts, sold its Open Service Solutions division to J.F. Lehman, another American company, for \$65 million cash, plus several millions more in preferred shares and warrants to buy shares.

David Hull, leader of the team at Edge & Ellison, of Birmingham, London and Leicester, said: "We received instructions at 4.30pm on the Wednesday and completed the work for the disposal of the UK interests in the division by 10pm on the Friday."

SCRIVENOR

STEUART & FRANCIS

Queen's Counsel



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The State's word is not good enough

Last month the European Court of Human Rights decided that the United Kingdom would be acting in breach of the European Convention on Human Rights were it to remove Karamjit Chahal to India, the country of which he is a citizen. The judgment will encourage British judges no longer to accept uncritically whatever they are told by the executive about the demands of national security.

The Home Secretary wished to deport Mr Chahal to India on national security grounds because of his alleged involvement in international terrorism on behalf of militant Sikh separatist groups. Mr Chahal denied having any link with terrorist activities, and claimed that if he returned to India he would suffer persecution for political reasons.

The European Court accepted that there was a real risk that Mr Chahal would be killed, or seriously injured, in India by members of the police or security forces because of his political opinions. Article 3 of the Convention prohibits torture or inhuman or degrading treatment or punishment. The court has previously held that Article 3 prevents a state from returning a person to another country in which such adverse treatment may be suffered.

The court decided, in Mr Chahal's case, that Article 3 is absolute, and so the United Kingdom cannot rely on its national security concerns, whether or not they are justified.

The removal of the power of a government to expel a person, whatever the danger to national security, is of fundamental significance. But of even greater practical importance are the court's findings that the United Kingdom was also in breach of the Convention by failing to adopt adequate domestic judicial procedures.

In recent years, judicial review has expanded to empower judges to consider the legality, fairness and rationality of aspects of government which, a generation ago, would have been universally acknowledged to be none of the judiciary's business. The final frontier over which the judiciary remains unwilling to pass is "national security". These words retain a mystical significance as an incantation, the utterance of which prompts our judges to assert a self-denying ordinance which deters them from assessing the propriety of executive action.

When the Crown says that a decision was taken on grounds of national security, the court will question neither the veracity nor the reasonableness of that statement. Moreover, the individual has no right to know details of the allegations if the executive asserts that such disclosure will itself harm national

security by betraying confidential sources. For these reasons, the English courts did not require the Home Secretary to produce evidence to support his assertion that Mr Chahal was a danger to national security. Because judicial review involves no consideration at all of the substance of the national security conventions advanced by the executive, the European Court held that the United Kingdom had breached Mr Chahal's Convention rights under Article 5.4 (the right to have the lawfulness of detention determined by a national court) and Article 13 (the right to an effective domestic remedy).

The court rightly recognised that there are difficulties in reconciling the demands of national security with the rights of the individual. However, as it pointed out, some judicial protection can be given without harm to national security. The court referred to the Canadian approach of conducting a private hearing from which the applicant is excluded but is represented by a security-cleared counsel appointed by the judiciary.

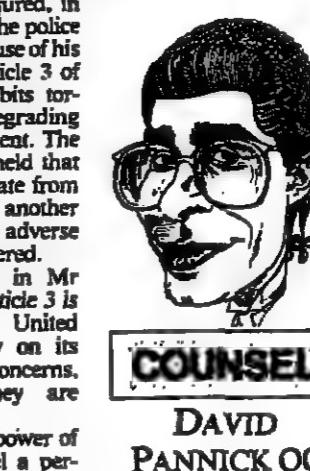
In the United Kingdom, senior judges (who are also Privy Counsellors) perform sensitive security functions out of court, for example as the Security Service Commissioner and as the chairman of the tribunal responsible for considering complaints about the Security Service. In a judicial review involving national security, judges should require the executive to provide the court (though not the applicant) with information which would enable the judges to reach an informed conclusion on whether the decision has been made lawfully, fairly and reasonably. The defect in English law, at present, is that no judicial effort is made to consider the reasonableness and fairness of the executive's reliance on national security considerations.

The conduct of the security services may not have any resemblance to the inefficiency and abuse of power portrayed in John le Carré's latest spy novel, *The Tailor of Panama*. But when civil servants know that they will not have to justify their claims to a court, there is a real risk that decision-making will lack the care and the respect for human rights which the context requires.

Judges should continue to defer to the executive, but only after satisfying themselves that there were proper and reasonable evidential grounds for the impugned decision. Whatever threat to national security may be posed by Mr Chahal, it is no secret that his success in Strasbourg will improve English law.

The author is a practising barrister and a Fellow of All Souls College, Oxford

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Should Christians keep rights denied to others, asks John Rubinstein

Blasphemy and freedom of expression

Last week, after a six-year fight, Nigel Wingrove, the filmmaker, scored an own goal for those vigorously promoting freedom of artistic expression under the European Convention on Human Rights.

The majority ruling by the European Court of Human Rights, upheld the British Board of Film Classification's (BBFC) decision to refuse a certificate for release of his 18-minute video film *Visions of Ecstasy* — on grounds, among others, that it contained blasphemous material.

The ruling came as no surprise to Mr Wingrove. So why did he bring his case? The question of whether the UK was violating the convention by resurrecting archaic blasphemy laws had already been considered by the commission in the case of *Gay News Ltd v UK* in 1982. It took the view that our blasphemy laws, and blasphemous libel in particular, were sufficiently certain and that they had as their main purpose the protection of the rights of others (albeit Christians). The case was therefore not referred to the court.

In Mr Wingrove's case, the commission relied on its *Gay News* decision and expressly rejected Mr Wingrove's main argument that blasphemy was too imprecise and indeterminate and that its use did not constitute a legitimate aim which justified the Government banning the video.

But the commission did distinguish his video from the film which came before the court in the case *Otto-Preminger Institut v Austria* (1994). By 14 to two, they held that the refusal of a certificate for Mr Wingrove's video was a disproportionate interference with the right to freedom of expression, given the likely extent of distribution and public performances of a video work compared with a film. De-

'Reform will come only if Parliament tackles the issue'

spite the majority view of the commission on proportionality, the court maintained its non-interventionist view on blasphemy and ruled that the policing of videos in a market difficult to control should be left to national states who are better placed than the European Court to make an assessment of a video's likely impact.

What is the result? Paradoxically, English blasphemy law has derived new vigour. And if Mr Wingrove is unwilling to risk prosecution for blasphemy before a jury, the public is not going to know whether the work has artistic merit or whether the film would outrage Christians, as the BBFC suggested.

The case was truncated as a challenge to blasphemy laws — but that issue was lost in 1982 when the commission blocked *Gay News*'s access to the European Court, an opinion endorsed by the court in Preminger as well as Wingrove.

Reform will come only if Parliament tackles the issue of whether in a multicultural society a diminishing number of believing Christians should be afforded rights denied to many others — such as Muslims offended by Salman Rushdie's *Satanic Verses*. Or should equal protection of the law be extended to all whose sincere religious beliefs are vilified?

In the House of Lords ruling in the *Gay News* case in 1979, Lord Scarman defended blasphemy law to protect freedom of religion, its teaching and observance, under Article 9 of the convention. He said the article imposed a duty on all of us to refrain from insulting or outraging the feelings of others. Article 10 provides for the right to freedom of expression — a right which carries "duties and responsibilities" and may be subject to such restrictions as are prescribed by law and are necessary "for the prevention of disorder or crime for



St Teresa of Avila, who is depicted in *Visions of Ecstasy*

the protection of health or morals, for the protection of the reputations or rights of others".

He considered that practitioners of religions other than Christianity should have parallel protection but did not say which should qualify, and English courts have been condemnatory of certain creeds considered to be exploitative cults.

Over centuries artists have depicted on canvas or on stage Christ's humiliation in multitudinous scenes of crucifixion and the descent from the Cross. Their message to Christians is to overcome that vilification and to have the strength of faith. No Christian's beliefs should be overcome by salacious or offensive films such as

Visions of Ecstasy, which depicts St Teresa of Avila in erotic scenes with the crucified Christ, given that crucial to the story of Christ are His triumphs over vilification and ultimate humiliation in the week leading to His death on the Cross.

Instead of relying on the European Court, Mr Wingrove might have been better spending six years lobbying Parliament to enact the Law Commission's 1985 recommendation to abolish blasphemy; or to amend the Public Order Acts so that the law, through juries, should only constrain artistic (or other) expressions where they are likely to incite practitioners of religion to acts of violence or mayhem.

The author is head of the Intellectual Property and Media group of Manches & Co.

Profits that mean a loss

PRP schemes pose a taxing problem, says Michael Rogerson

number of employees is a sobering experience — and there's worse to come. After January 1, 1999, tax relief declines again as the limit is halved to £1,000.

The relief will be eliminated altogether for profit periods starting on or after January 1, 2000. At this point, based on current tax rates, the additional cost will be approaching £3,000 a year for higher-rate employees and £1,400 for those paying tax at the basic rate.

Take a 60-partner firm with, say, five staff per partner, of whom two pay higher-rate tax. It could face additional payroll costs of more than £600,000 a year, or put another way, £10,000 per equity partner.

But firms without an existing PRP scheme still have time to establish one before January 1, 1998, to benefit from the current level of tax relief and make substantial savings in payroll costs during the transitional period.

• The author is a partner at Grant Thornton, chartered accountants, and heads the firm's legal group.

Rules that tie you in knots

Chris Barton explains some bewildering marriage laws

LAST WEEK the General Synod of the Church of England decided to abolish the most well-known of all marriage preliminaries: the reading of the banns.

For many of the 600,000 or so who take the plunge annually, the three successive Sundays of church weddings are as traditional as those between sentence and execution. Yet as long ago as 1973, the Law Commission pointed out that hardly any of those who wed understood the system — and that their ignorance was shared by many of those who administer it.

Such nescience is unremarkable, given the bewildering abundance of routes to wedlock available under the Marriage Acts 1949-96. The next best-known preliminary is probably the least used: the Archbishop of Canterbury's Special Licence is obtained annually by a handful of couples from someone called the Master of Faculties, and is used to validate



Anglican marriages held in such places as Oxbridge college chapels. Many people who are under the impression that they married by way of this romantic-sounding if esoteric document actually made do with a Superintendent Registrar's Certificate with Licence. This certificate circumvents the supposed policy of wedding law by allowing the ceremony to go ahead one day after it is obtained.

Since 1753, that supposed policy has been to prevent clandestine and hurried weddings. Another purpose of Lord Hardwick's Act of

that year was to disallow "common law" marriages — unions created by an informal exchange of vows. Unfortunately, a large number of people suffer under the misapprehension that they are legally married to their "meaningful other" — consequently suffering disillusion on break-up when their solicitors explain no marriage, no divorce, no financial relief.

Now that the banns are to go, thereby ruining plots as well loved as those of *Jane Eyre* and that vintage episode of *The Likely Lads*, their demise will at least be in line with the current policy of encouraging marriage by enlivening and shortening the ceremony.

The Marriage Act 1949 has added stately homes and football grounds to the churches, register offices, prisons and deathbeds previously permitted. And more recently, the Marriage Ceremony (Prescribed Words) Act 1996 has drastically cut the minimum number of words required in the civil vows to a mere 34 per party — though retaining the option of saying "thee" rather than "you" to one's beloved.

The author, Professor of Family Law at Staffordshire University, plighted his own trath by way of a Superintendent's Certificate with Licence.

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Those who have already applied to either the Bar or the Law Society need not apply again. A tight timetable applies. Solicitors should make their applications in writing to: Suzanne Burn, The Law Society, 113 Chancery Lane, London WC2A 1PL. Barristers should make their applications to Christopher Clarke QC, Brick Court Chambers, 15/19 Devereux Court, London WC2R 3JU, tel 0171 583 0777, fax 0171 583 9401.

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Edward Fennell on what English and American law firms are trying to convey about their efficiency through the offices they occupy

A message in the image

Lawyers are their clothes, their offices, their stationery. That, at least, is the view of the style guru David Stuart of the design company The Partners. There is no getting away, he says, from the link between how lawyers look and their character as professional advisers. Whether it is a matter of corporate stationery or corporate offices, an image is presented which will colour clients' (and potential clients') attitudes.

So when the American law firm Weil, Gotshal & Manges launched its new office in London, its partners — recruited from "blue chip" London firms — were adamant that the design and look of the office should make a clear statement about their practice. According to the designer Katrina Kostic Samen of the architectural firm Gensler, the brief was to present a look which was fresh, young, vibrant, and avant-garde, but without being trendy. The result has been a law office which has no precedent in London — in other words, it is exactly what the partners wanted.

Ms Kostic Samen says: "The physical image of a law firm can have a huge impact on the relationship with the client. That's why we wanted to create something at Weil,

Gotshal which was unique and different by using beautiful materials. There is nothing about the office which is imitation."

With so many US firms arriving in London, it is illuminating to compare styles and design philosophies. In general, London firms aim for a very modern look to blow away any suggestion that they are fuddy-duddy or rooted in the past. American firms, by contrast, are keen to counter any suggestion that they are from Hicksville by dressing the offices out with antiques and traditional trappings of the "Establishment".

But alongside the aesthetics, there are also major design differences which arise out of the way US and UK firms actually operate.

The differences in the links between trainees and partners, the relationships between support staff and lawyers, and the extent to which individuals' offices are used for meetings, all shape the way law firms' premises are designed.

Ms Kostic Samen explained:

"Clients of English lawyers do not penetrate the outer rim of reception areas, meeting, and dining rooms, so there is often a marked difference between back and front of house. In US firms, by contrast, clients usually have to walk through the working areas to reach their lawyers' offices, so there has to be a uniformity of image."

One of the biggest change-drivers in law offices in recent years has been the arrival of information technology and the need for adequate cabling. Most new offices are now adequately equipped. However, there are still problems over the adoption of speculative buildings for lawyers' use. Clifford Chance has one of the grandest law offices in London but it has found difficulty in operating from a building designed originally for multi-occupation use.

This has left it with a wasteful atrium area together with a floor plan ill-suited to lawyers' needs.

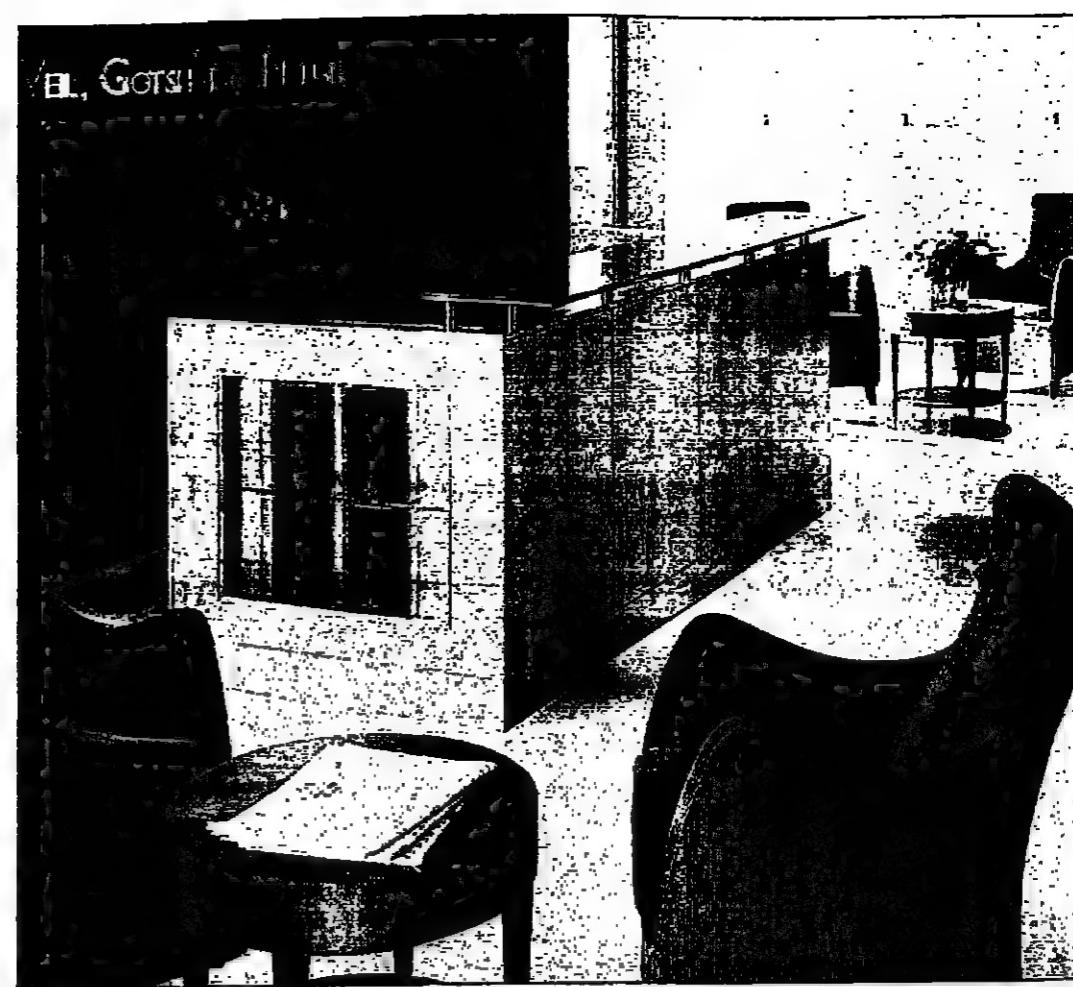
Keith Toms, the head of services at the firm, said: "There are constraints on our partitioning which mean that we can't get maximum value from our space. We need constant flexibility, but because of our ceiling structure, our offices tend to be slightly too big."

Recent research has shown that there is a direct correlation between utilisation of office space and profitability, so being in the wrong space can have an immediate impact on the bottom line. However, where you are positioned can be the most important factor of all.

Blake Lapthorn, one of the leading solicitors on the South Coast, ran out of patience with its collection of converted houses in town centres. Given the importance of the M27 as the major artery for mobility between Southampton, Portsmouth and Chichester, it decided to relocate, first, its commercial practice, and then its private client practice to prominent off-motorway sites.

The architecture of both offices is exactly the same, but the interior design is different. The corporate practice has an emphasis on high-tech efficiency while the private client is warmer with softer edges.

Perhaps even more important, however, the private client office is right next to a big out-of-town Tesco. Business has shot up. David Russell, the managing partner, said: "If we'd been on a remote business park, it would never have worked. The priority was to find a location where we could be close to our customers. We were fortunate in finding an ideal position."



Partners in Weil, Gotshal & Manges demanded that their offices should look "vibrant, but not trendy"

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Applicants must have held a right of audience in any class of proceedings in any part of the Supreme Court or in all proceedings in the county court or Magistrates' courts for a period of seven years and should normally be aged between 35 and 60 on 1 April 1998.

The Lord Chancellor will appoint the candidates who appear to him to be best qualified regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or (subject to the physical requirements of the office) disability.

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ATTORNEYS-AT-LAW



■ VISUAL ART 1
Master of ambiguous beauty: Howard Hodgkin speaks about his new Hayward show



■ VISUAL ART 2
... while at the ICA the cool menace of Vija Celmins's neglected work goes on display



■ TOMORROW
Encore for a veteran of the avant-garde: the music of György Ligeti comes to the South Bank



■ THIS WEEK
Fifty years on: the Royal Opera House launches its celebration of golden memories



Don't look at me askance

Howard Hodgkin is one of Britain's leading artists. He represented this country at the Venice Biennale in 1984; he won the Turner Prize in 1985; he was knighted in 1992. Next year the German Government will present him with the Shakespeare Prize for German-British relations.

And yet the retrospective of his paintings that was first shown at the Metropolitan Museum in New York last autumn and which opens at the Hayward Gallery on Thursday nearly didn't come here, and Hodgkin still feels it is an uphill struggle to be a successful artist in this country.

Hodgkin, whose last big exhibition here was at the Whitechapel Gallery in 1985, is nervously waiting for the public reaction to the Hayward

Isabel Carlisle meets Howard Hodgkin, as the Hayward mounts a retrospective of his paintings

show. In covering the years 1975 to 1996 it leaves out most of the earlier, more obviously figurative works and looks instead at Hodgkin the fully fledged artist, with his own luscious pictorial language.

The public loved it in New York but here, Hodgkin suspects, we may find that the intensity of colour distracts from the emotions and memories that are the subject matter of his paintings.

Coddy, Hodgkin, while not thinking of his work as English, is a very English artist. His works have that special quality of English landscape painting that conjures up place and atmosphere and, as they progress into greater

abstraction, emotional weather and the landscape of memory.

Like many of Hodgkin's works, *Rain in Rutland Gate* evades formal analysis. Why a central column of grey, flanked by areas of red on the one hand and green on the other, with vertical and arching brushstrokes and more densely worked and patterned areas of colour, should evoke glistening London pavements, the leaves of plane trees and a summer downpour is not easy to put into words, but it does. Hodgkin is reluctant to assist. He explains that he can't talk about his paintings, that it is impossible for him to verbalise what is visual, and that his

pictures have to look after themselves. "When I paint a picture I don't know why I choose the colours; they just become necessary because of the circumstances of the painting," he says.

Although the titles that Hodgkin gives his works seem to offer a way in, they can also exclude. Because these are intimate paintings about personal experiences the viewer can be brought up short by lack of information, both visual and verbal. *Dinner in Palazzo Alibrizzi*, for example, may or may not combine the sparkle of water in a Venetian canal with a green curtain and a rich red interior. If we become analytical, title plus

painting can give the sensation of looking in on a rather good party but not knowing who was there, or what they were talking about, or why it was worth spying on.

Hodgkin feels that information has come between people and art in a way that it did not 50 or so years ago. He talks about the impact made on him by the exhibition of Picasso and Matisse held in the empty galleries of the Victoria and Albert Museum just after the war, which had only minimal wall labels. Today, "information on labels has got longer and longer and longer". In the Tate's current exhibition of the work of the four candidates for the Turner Prize, he says, visitors have watched the videos about each artist rather than looked at the art.

There is an immense drift away from making value judgments, because they are seen as politically incorrect," he says. "Art has been replaced by information to an extraordinary extent. It has come

6 People
might not
enjoy art,
but they
do respond
to it

about because sociology [information about the society in which the work of art is made] and biography is much easier to absorb and, more importantly, much easier to present than a value judgment."

But reactions to art, and connoisseurship (based on having a "good eye" rather than academic expertise) are out of vogue, he says. "People might not always enjoy works of art, or art at all, but they do respond to them. The relationship of people to art has not changed, but the responding has been interfered with. I believe that human beings respond to the physical attributes of objects in a very straightforward way. Every body has a sense of colour, and all that good taste means is being able to open oneself to



Howard Hodgkin: reluctant to assist people in the interpretation of his painting

the physical attributes of art."

Hodgkin, who has his own collection of Indian paintings and lives close to the British Museum, spends a good deal of time looking at art of different cultures. It is clear to him that the way people are encouraged to make connections between objects today has more to do with information than aesthetics — "an unusable word now", he says. "When I was a child there was an influential book called Art

for Children, by Anna M. Berry. It was divided up into sections and illustrated things that were exciting to look at: wonderful Indian paintings; paintings by Italian Futurists; and a marvellous Picasso portrait of his son. The juxtapositions of objects from different periods and cultures were partly based on 'associationism': it was all about trying to show that art was always art."

How does our contempor-

ary, information-based, way of looking at art affect Hodgkin himself? "The lack of value judgments makes it very difficult for artists if you use value judgments when you look at what you've done and everybody else looking at it doesn't increase your isolation. I just want people to respond to my art, that's all."

• Howard Hodgkin is at the Hayward Gallery, South Bank, London SE1 0171 960 4242 from Thursday to Feb 26

GALLERIES: Richard Cork on a long overdue tribute to Vija Celmins

Dangerous whispering

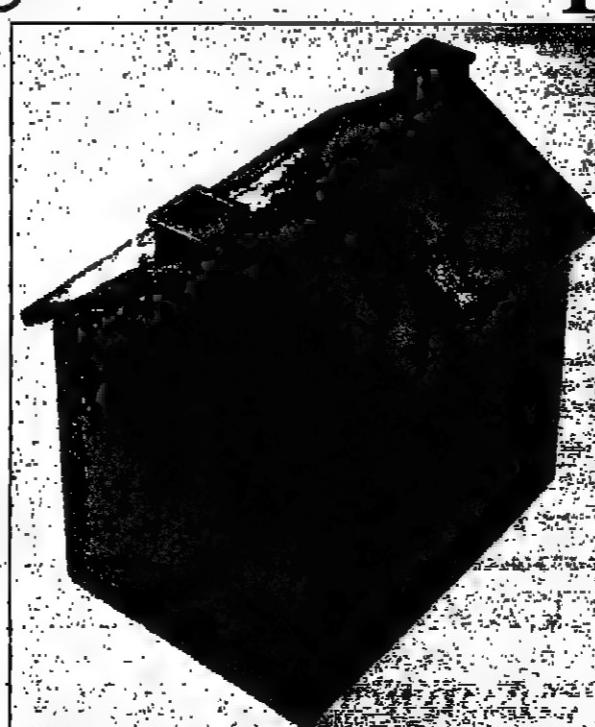
Given the high reputation she has long enjoyed in the United States, Vija Celmins's lack of recognition elsewhere seems astonishing. More than three decades of sustained and utterly singular work are surveyed in her ICA exhibition. But this is the first retrospective she has been given anywhere in Europe, and none of her paintings, drawings or sculptures is owned by public collections either in Britain or on the Continent.

How to account for such neglect? One reason may be that Celmins has never produced much work. Quiet, painstaking and meditative, she takes her time. Even now, at the age of 58 and at the start of a European tour, she emerges from her carefully cultivated privacy with caution.

Above all, though, the work itself is the very opposite of attention-seeking. In an age of clamorous self-expression, Celmins remains content to whisper rather than shout.

Born in Latvia, Celmins lived in Germany before emigrating to America. A sharp sense of dislocation can certainly be detected in the earliest paintings on view. They were executed in a studio she occupied on Venice Boulevard, Los Angeles. The luminous immensity of the Californian coast was on hand, but Celmins behaved as if the world beyond her studio did not exist. An electric fan marooned on an empty floor, stands expectant. But the flex trailing from its base peers out in the encircling darkness. Soon, we feel, the fan itself will no longer be discernible in the gloom.

Even the most banal implements take on an ominous meaning in these remarkable canvases. And Celmins limits herself to a palette dominated by white, black, grey and the palest of browns, as restrained as the colours displayed in the Velázquez paintings she admired so much in the Prado.



House 2 showing a home on fire; the ferocity of the flames suggests that its destruction cannot be prevented

The longer we look at these early paintings, the more unsettling they become. A hot plate isolated near the lower edge of an otherwise deserted interior, glows with electric warmth. Its orange rings serve no apparent purpose, though they merely burn, raising the temperature and accentuating the aridity of the featureless room around them.

When violence erupts, therefore, it almost comes as a relief. The flat, dimly-lit calmness of a typical Celmins space is suddenly invaded by a hand firing a pistol. Even here, however, fundamental information is withheld. As smoke seeps out of the gun-barrel and hangs in the air, it symbolises the mystery of an aggressive act with no visible target.

As the decade develops, her awareness of menace increases. The hand holding a gun reappears in 1965 on a detachable roof of a painted

sculpture called *House 1*. Smoke fuses with clouds, and the fury interior of the building appears to offer claustrophobic protection. But in *House 2* a similar home is on fire, and the ferocity of the flames flaring from the windows suggests that its destruction cannot be prevented.

Does this obsession with danger, all the more disconcerting for being so coolly conveyed, stem from her response to contemporary life? Or can its origins be traced to a more distant period? Once Celmins starts painting close-up images of a German plane and a "flying fortress" in 1966, her preoccupation with the past becomes clear. Based on grainy photographs like so much of her work, these spectral fighters and bombers seem to issue from childhood fears still haunting her. 20

years after the war ended. Any therapeutic release these may have given Celmins did not last long. Soon after painting a burning man as he struggles to escape from a vehicle consumed by flames, she abandoned painting altogether. The vehemence of this 1966 canvas, where greyness gives way to the racing attack of orange and flaring yellow, seems to have precipitated a crisis.

This time she turned to drawing, and used her formidable skill with the pencil to make illusionistic images of torn newspaper cuttings isolated on a plain acrylic ground. The subjects she chose — a man in a cloud, spreading over Bikini strollers, the aftermath of Hiroshima — proved that her imagination was still possessed by apocalyptic visions. But they did not last long. By the end of the 1960s, Celmins had decided to take one step further back. Fired by newly released images from space explorations of the period, she used her ever more sophisticated handling of graphite to produce exquisitely beguiling simulations of the pitted landscapes revealed by lunar probes.

Celmins never lost her fascination with vastness. Since then, all her work has centred on the task of reconciling the immensity of the sea, the desert or the sky with the overall flatness of her picture surface.

Her abiding theme in recent years appears to be the interconnectedness of everything. The pale and hazy deserts of the desert drawings may at first contrast with the deep, velvety darkness of her recent night-sky pictures. But these contrasting spaces originate in the same feeling of awe that informs the images sea and land.

These rapt and contemplative sky pictures are finally about the unfathomable nature of everything.

• Vija Celmins at the ICA, 0171 960 4242 until Dec 23



new hope
steps from
the embankment

Father,
dear father

French dressing

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■ DANCE

Steps towards reconciliation? The multi-tribal National Ballet of Rwanda makes a plea for peace



■ MUSIC

In Liverpool, Paul Daniel conducts a bitty and unsatisfactory programme with distinction



■ COMEDY

Ardal O'Hanlon brings a whole bag of Irish charm and blarney to his stand-up show in London



■ OPERA

Diva plays diva: Galina Gorchakova has a night of mixed fortunes as Covent Garden's Tosca

DANCE: Throughout the hatred and genocide, the Rwandan Ballet kept its vision of harmony alive, Nigel Williamson reports

New hope steps from the embers

The genocide in Rwanda which killed a million people in 1994 ranks perhaps only behind the Holocaust in the century's roll-call of shame. Fergal Keane, who was made journalist of the year for his coverage of the war, was acutely aware of the inability of words to describe the enormity of the horror. "Set against the evil of genocide, journalism was at best a limited vehicle of expression, at worst a crude and inadequate tool," he later wrote.

Art is also imperfectly equipped — nothing can convey suffering and misery on such a scale — but it is perhaps the best tool humanity has in its attempt to come to terms with such tragedy when words fail. The National Ballet of Rwanda lost about a dozen of its members during the war, on both sides of the tribal divide, brutally murdered by the opposing factions. Yet somehow throughout the killing the ballet kept going. The company, which includes Hutu and Tutsi dancers as well as the Batwa, the indigenous pygmies of Central Africa, felt that to give up would have been a betrayal of their murdered colleagues, an admission that the militiamen had won. Now, rising from the ashes of those dreadful times, the company is touring Europe under the name Isonga ("the point of the spear"), with a new production which arrives at the Barbican Centre in London this weekend.

Izuba ry Amahoro (*The Peace Sun*) is a stunning production of colour, rhythm, movement, and

song. Unsurprisingly, it contains a strong plea for reconciliation. "We have a message of peace, that we can work in tranquillity," says Jean-Baptiste Nkulilyinka, the artistic director who founded the ballet in 1974. "It shows people working together. You see in the production at the beginning there is animosity and then the chief says stop the fighting, come together and work with our traditions."

Nkulilyinka, who studied anthropology and linguistics as well as dance and drama in Belgium and Zimbabwe, remained in Rwanda throughout the war, struggling to keep his artistic vision alive. "We lost a lot of people, some wonderful artists. Some of our members lost everything. One lost his entire family and the group became his family. He came to rely on us, Hutu and Tutsi alike. It was a very difficult time but what should we do? Even in war people must continue to work and to eat and this is our job, singing and dancing."

Within the group the different tribes have worked together for more than 20 years. "We never let the politics intrude into our humanity and our art. If we can live together harmoniously, united by song and dance, perhaps we can be an example," says Nkulilyinka.

That is our theme, bring people together. We hope it can be healing, that people from whatever tribe will see it that way. When they are booked on a tour for UNICEF, highlighting the problem of the country's many orphans of war.

The dances and music in the



Moving in step: the dancers of the Rwandan Ballet find inspiration in their shared traditions — "In the richness of common culture must lie the seeds of peace"

current production are strongly traditional but they are neither Hutu nor Tutsi, says Nkulilyinka, who is of mixed descent. They are both because the Banyarwanda [peoples of Rwanda] have common culture. Hutu and Tutsi share the same language, the same religion and the same music, dances and traditions. In that richness of common culture must lie the seeds of peace."

The production, which plays for

almost two hours without an interval, highlights different aspects of traditional rural life — hunting, harvesting, war, love, marriage and death. The 30-strong troupe, in colourful traditional costume, dance at times with exciting abandon, at others with moving gentleness, but always with poise and grace. Against a simple *mise en scène* which recalls a Rwandan hillside scattered with rush huts, the show reaches its

climax with three dramatic pieces — first, the *Intore*, a fierce war dance with exotic head-dresses and proud and tempestuous stomping; then an achingly beautiful performance from the women, slow and mournful, called the *Bambanika*; and finally the thunderous sound of the *Ingoma*, the drums of the ancient royal court.

It is an uplifting production, full of life and hope but underpinned with a sensitive understanding of

the tragedy of Central Africa. There is no greater testament to the strength of the human spirit than that such beauty can come out of unimaginable horror. Audiences across Belgium and Holland have been left crying for more.

Since the company set out from Rwanda on tour, events have moved on and the refugees have started returning from the camps in Zaire. The company has followed the news from afar, with both hope

and concern. Do they fear reprisals and further bloodshed when a million Hutus return to the scene of such recent bitter fighting? "We are lucky to be away from the difficulties. For the moment we dance and we sing and we will see when we return," says Nkulilyinka. "But it must be a good thing when man goes back where he belongs."

• The Rwandan Ballet performs at the Barbican (0171-638 6891) on Saturday at 5.30pm

Father, dear father

Ardal O'Hanlon
Her Majesty's

risen on the spot, is there. And the Irishness is definitely there, in rambblings and non sequiturs so convincing they might have come out of a *How to Be Irish* — and *Cute* handbook.

As he admits early on in an hour-plus stint the second half of a show that also features the excellent Mark Doherty, he is not a hard-edged, satirical, bit-of-pol-

itics comic. No, he's an Eddie Izzard-like dealer in fantasies that sometimes just sort of stop, rather than end. But you laugh because you really want him to know you like him, and would be proud to buy him a drink.

The monologue is shot through with lines that stay in the memory — the story of how he won the "guess the age of the chicken" contest twice running ("The second year was easier"); the observation that bees embarrass easily, which is why they bash themselves against windows trying to get out of rooms ("Oh, they're all looking at me, let me out").

There's not quite enough solid stuff to keep audiences laughing for a full hour — perhaps a bit of politics really would not be such a bad idea — but O'Hanlon is something special: his own man, despite the famous alter ego.

CHRIS CAMPLING



Doomed from the start

OPERA
Tosca
Covent Garden

THIS *Tosca* could do with sprucing up before Plácido Domingo arrives next week to conduct the performance marking the twenty-fifth anniversary of his Covent Garden debut. That was an *Cavaradossi*, and the latest incumbent of the role, Keith Olsen, could have learnt things or two listening to Domingo over the years.

Olsen has appeared a number of times at the House, and deserves a more solid engagement in the Italian repertoire. Yet he rarely managed to suggest that *Cavaradossi* was the right role for him, and generally had an unhappy night. The opening *Recondite armonia* was a mess and recovery was slow. The middle of the voice is powerful enough, but the top too often sounded strangled and frayed. It needed a fork-lift truck to get up the high notes.

Galeine Gorchakova's *Tosca* is justly famed and she began in fine style, playing the roguish actress all too ready to distract *Cavaradossi* from his work in church or anywhere else. The change of mood when *Scarpia* arrives, with ominous chords coming up from Edward Downes's orchestra, was marvelously judged. But she never managed to capitalise on this beginning. *Vissi d'arte*, which found her kneeling before the prompt box, hardly necessary in her case, was oddly unmoving and wayward at the close. The placing of the candles by *Scarpia*'s corpse was muffed.

JOHN HIGGINS

French dressing

THE Ensemble Clément Janequin defied burnt-out tunnels and airline strikes to appear before an appreciative audience at the Wigmore Hall. It presented an extended but nicely varied programme of vocal and instrumental music from the first half of the 16th-century, focusing on the repertoire of the courts of Francis I and Charles V, with "battle" pieces by Janequin and others together with Mateo Flecha's *La Guerra*.

The voices were accompanied, to good effect, by pairs of lutes or guitars and bass viol, although I was less convinced by the instrumental accompaniment in the madrigalian *villancicos* by Juan Vásquez. It was especially good to have the opportunity to hear a work by the 16th-century Catalan madrigalist Joan Brudieu.

TESS KNIGHTON

Falling short

CONCERT
RILPO/Daniel Liverpool

parallel with, say, the same composer's *Les Illuminations* that would have given the soprano soloist something to reflect her dramatic qualities as well as her sensitivity.

The size of a concert is not always determined by its length, of course. Paul Daniel's account of Sibelius's Fifth Symphony did much to compensate — not by dwelling on the work, but by presenting it with such sustained ardour that by the end there was little left of our capacity to respond. The way he handled the difficult approach to the Allegro moderato section of the first movement was so sonorous over. She sang the Britten songs most attractively, illuminating the word setting with discreet but always meaningful applications of vocal colour, while Daniel and the Royal Liverpool Philharmonic Orchestra discovered a whole series of expressive felicities in the scoring. But, for all their evidence of youthful genius, the *Quatre Chansons françaises* are flimsy in content and would have been more effectively presented in

CLASSICAL CHOICE
A guide to the best available recordings, presented in conjunction with Radio 3

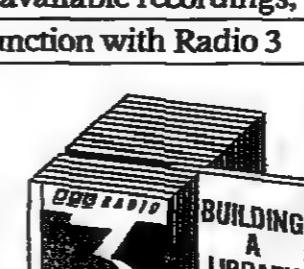
BACH'S FRENCH SUITES
reviewed by Graham Sadler

CONCEIVED as an offering to his second wife, Anna Magdalena, Bach's French Suites have long endeared themselves to players, not least because they are technically easier than most of his others. And unlike, say, the French repertory, pianists have still not surrendered them to the harpsichordists. Of the 13 current recordings, six are by pianists.

Much the most idiosyncratic is Glenn Gould (Sony Classical). His technical command is undeniable, yet he can seem infuriatingly egocentric. Joanna MacGregor's recording (Collins Classics), tends towards understatement, and her excessive use of pedal causes some textures to emerge in a dreamy haze.

More persuasive is András Schiff (Decca), but his playing can be over-aggressive. Of the pianists, I would recommend Angela Hewitt (Hyperion) whose readings are pleasingly straightforward and free of mannerism.

But if I have to choose a single version, it must be on the harpsichord. At his best



Gustav Leonhardt (RCA Victor) is magisterial. David Moroney (Virgin Classics) and Ton Koopman (Erato) are thoughtful and respected players, but each is too mannered here for my taste. Moreover, Koopman's set suffers from some timidity. By contrast, Christopher Hogwood's recording (L'Oiseau-Lyre) survives the competition well. This would be my first choice were it not for the oppressive sound of his fiery-sounding instruments, recorded too close for comfort.

The set I could most happily live with is Lars Ulrik Mortensen's (Kontrapunkt 32103/04, 2-CD) — not free of mannerism, but technically impressive, stylistically sensible, well recorded, and with embellishments that could have sprung from Bach's fingers.

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GERALD LARNER

• Next Saturday on Radio 3 (9am): Berg's *Wozzeck*

RACING: IRISH CHALLENGERS RENEW RIVALRY IN VALUABLE TINGLE CREEK CHASE

Sound Man targets Sandown

By OUR RACING STAFF

SOUND MAN and Klaire Davis, regular adversaries in the top two-mile steeplechases in recent seasons, are likely to meet again in the Mitsubishi Shogun Tingle Creek Trophy Chase at Sandown on Saturday. Sound Man seeks his second successive victory in the race, having overcome Storm Alert by five lengths last year.

They are among eight acceptors for the £50,000-added contest. The two Irish challengers face a six-strong home team in which two trainers, David Nicholson and Charlie Brooks, are doubly represented. Nicholson can call upon Viking Flagship and Storm Alert while Brooks has Double Symphony and Sound Reveille at his command. Ask Tom, an impressive winner at

Jidjan Muscat, of *The Times*, was shortlisted for the Racing Journalist Of The Year award, presented in London yesterday. The award, won last year by Richard Evans, *The Times* racing correspondent, went to David Ashforth of *The Sporting Life*.

Newbury last Saturday, and Lord Dorset complete the entries.

Although Klaire Davis, trained by Arthur Moore, and Sound Man, from the Edward O'Grady stable, add significantly to the interest in the race, neither has made an auspicious start to the season. Klaire Davis began the term with a defeat, as 3-1 on favourite, by Fiftysevencanals at Leopardstown, while Sound Man, as the 4-on market leader, was beaten by Anatobic at Navan.

On the same programme, the William Hill Handicap Hurdle has drawn 24 entries in search of a first prize in excess of £24,000. Simon Down's Chief's Song, the winner last season, is among the acceptors, although much attention will focus on the Tim



Old adversaries Klaire Davis, nearside, and Sound Man meet again in the Tingle Creek Chase at Sandown on Saturday

Forster-trained Teineko, an impressive winner of his last two starts.

At Chepstow on Saturday, the feature race is the Rehearsal Chase over three miles. Last year's renewal attracted just three runners, with Grange Brake comfortably beating Bradbury Star, but, although both feature among the entries again, the field has a far more competitive look this time round.

Mr Mulligan, one of last season's top novices, finishing second to Nantien Lad on his final start in the Sun Alliance Chase at the Cheltenham Fest-

Nap: STORMY PASSAGE

(150 Newton Abbot)

Next best: Niki Duv

(3.00 Newcastle).

tival, is due to make his seasonal reappearance. His regular rider, Richard Johnson, has a broken collar-bone, and Noel Chance, the gelding's trainer, is hoping to book Mick Fitzgerald for the ride.

Chance said: "He's in great shape and I couldn't be happier. The race will do him good.

but he's as fit as I can get him on the gallops."

David Nicholson's Billygoat Griff was a late withdrawal from the Hennessy last Saturday because of the unsuitably fast ground, but should have no problems on that score at Chepstow, while Jodami, the 1993 Gold Cup winner, is also among the entries.

Although the domestic Flat season is coming to a sedate conclusion, there remains one notable prize for which to play. The £30,000-added Bass Whirlwind Stakes, a listed race contested on the all-weather surface at Wolverhampton on

Saturday, has drawn a field really set for this time of year.

John Gosden's entry Decorated Hero catches the eye. The winner of the Tote Festival Handicap under top weight at Ascot in September, he has since won in France. David Loder, successful with Prince Of Andros last term, has entered Ground Game and Nijo. Prince Of Andros, now with Chris Wall, is also among the acceptors.

□ Norman Williamson gave up four rides at Kelso yesterday as he was still sore after his fall on Challenger Du Luc in the Hennessy at Newbury.

Kelso

Going good, good to firm in places

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FOOTBALL

England offered little comfort by Sacchi's exit

By ROB HUGHES, FOOTBALL CORRESPONDENT

ENGLISH football would be heading for the mother of delusions if people misinterpreted the departure, after 53 internationals, of Italy's national coach, Arrigo Sacchi, as beneficial to the England v Italy World Cup qualifying game at Wembley on February 12.

Rather, the players of Italy, whose technical and tactical quality looked as high as anyone's during the European championship, England last summer, are likely to feel the release. Sacchi had tried to go against the instincts of Italian play. He had taken them to within one missed penalty of winning the 1994 World Cup, yet he had repressed individualism and, it is said, that the players succeeded in spite of, rather than because of, their leader.

Therefore, when Silvio Berlusconi, the former prime minister and the owner of AC



Sacchi: departure

Sacchi compensation and are rid of the two men who had become, from the moment Italy dropped out of the European championship, the country's lame ducks." That day, Antonio Matarrese, then the president of the federation, had stood emotionally beside Sacchi and said: "As long as I remain president, Mr Sacchi, will also remain."

You could see from the sunken eyes of Sacchi and from the slumped shoulders of Matarrese that both suspected their time was up. The president was voted out by the summer, Sacchi fingered on.

Those who have watched and admired Italy through the years know that the quality rarely dips. Indeed, look at the exports to England — Fabrizio Ravanelli, Gianfranco Zola, Roberto Di Matteo and Vialli. We have them because Italy has done with them, there are better players, Italian clubs believe, at home. And while they possess an enviable sort of riches, who can raise Italy over their threshold of neurosis, raise them and release them to perform?

The betting favours Dino Zoff, the former national goal-keeper, now the figurehead of Lazio, and Cesare Maldini, the father of Paolo, Milan and Italy's left back.

Maldini senior is primed for the succession. He has not yet had the puff of white smoke, but, as the coach to Italy's successful under-21 teams over the past five years, he has the trust of many of the squad. That, many think, is the crucial factor: trust the quality of the players, co-operate rather than order them, and Italy, next time out, will be a liberated force, which, unfortunately, will be at Wembley in February.

The sinker Sacchi has gone. The players, like footballers everywhere, will be anxious to impress the new man, and given their technique, frankly Charlie Carli could take over for February 12 and come up smiling.

Milan, made Sacchi an offer to return to his old club, it was one he did not, and he says could not, refuse.

Milan are losing, and Berlusconi has no patience with that. Despite carping at the media for their criticisms of Oscar Washington Tabarez, the Uruguayan who has been Milan's coach for less than half a season, Berlusconi panicked after another defeat at Piacenza on Sunday.

"I can't say no to Berlusconi," Sacchi is reported to have said. "Milan calls me, I can only resign. Try to understand."

Understand? There are those in the federation who are ecstatic. They believe they are off the hook in not having to

pay Sacchi

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European champion-

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When he made his telephone call to Raffaele Pagnozzi, the commissioner temporarily in charge of Italy's football federation, to resign on Sunday, Sacchi jumped before he was pushed. A new federation president will be elected on December 14 and Sacchi already knew that the only thing keeping him in office was the size of his salary.

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Zimbabwe labours on without its prodigal son

There is no doubt the most poignant moment so far of England's tour of Zimbabwe. As the No 3 for Country Districts XI came out to bat at Harare South Country Club on Saturday, the announcer read out the wrong name over the public address. It was not John Oates, as it should have been, but that of the man who looms over this tour like Banquo's ghost: Graeme Hick.

Almost every day, one is reminded of the existence of the batsman England left behind. Hick, of course, was born here and has many friends and admirers who would like to see him return, in any colours. Yet there are also those who resent his decisions ten years ago to make England his home and pursue his sporting ambitions there.

Bizarrely, Hick was considered for selection by both teams for the match on Saturday, though of course in the end he played for neither. The local association wanted him to play for the Districts side to recoup on the gate some of the large amount of money it paid to the Zimbabwe Cricket Union to stage the game, but he declined two months ago.

Simon Wilde in Harare finds a population pondering the absence of Graeme Hick, once the local boy made good, now an Englishman

"Graeme desperately wanted to be here with England," John Hick, his father, who watched the match, said. "He has not been here for four years, and was really looking forward to coming back, but if you do not make the runs you cannot expect to be picked. He also seriously considered playing for the local association, but was anxious that he would not have done himself justice. He knew he would not have held a bat for two months."

Hick's image is as confused in Zimbabwe as it is in England. Is he one of theirs or is he not? Some still claim him as one of their own; some are happy to accept that he is "English" now; some regard his long residential qualification for England as an act of treachery, though they seem to forget that when he embarked on that qualification process — in the mid-Eighties — Zimbabwe were not a Test match nation and had little immediate prospect of becoming one. They finally achieved

then, that there are few outward signs of people eager to lay claim to him. At his school in Harare, Prince Edward High School, there are few reminders of one of its most famous former pupils. The notice boards and trophy cabinets do not bear his name. There is just one photograph of him — among many — in the cricket pavilion.

It is fairly obvious that Hick's presence here would have put hundreds on the gates. His father confirmed the general sense of disappointment. "Many people have come up to me and said what a shame it is Graeme is not here. They were so looking forward to seeing him bat, but I am aware there are also those who would have liked him to come and fail."

Hick's absence may be a personal blessing in disguise. Those closest to him believe he desperately needs a rest from the game that made him famous. He last had an extended break 13 years ago, when he was

taken on a club tour at the age of 17 and Basil d'Olivera discovered him for Worcestershire's second XI, launching him on his record-breaking career in England.

Others are not so sure. One friend from his Harare days fears his England days are over. "One or two of the English professionals out here [with club sides] think that England have come to a decision about him. They don't want him any more and don't need him. And he does have this fundamental weakness — the way he looks to play everything through guile."

However, David Houghton, the Zimbabwe coach who has known Hick since he was a boy, makes no bones about the fact that his players are relieved Hick was not chosen by England. "We have got over the stage of worrying about him being Zimbabwean. He is English as far as we are concerned and we saw him as a threat," he said.

"I personally am pleased he was left behind. I think it is the best thing that has ever happened to him. He really needs to regenerate. He will come back next summer in England with all guns blazing."



Hick not selected for tour

Test status in 1992, the year after Hick could contemplate playing for a local side against England as nothing, of course, to assure those who label him a ruthless opportunist. It is hardly surprising,

CRICKET: AUSTRALIA HANDED INITIATIVE IN SYDNEY BY EMBARRASSING INEPTITUDE OF OPPONENTS

Shambolic West Indies plumb depths

RICK RYCHROFT

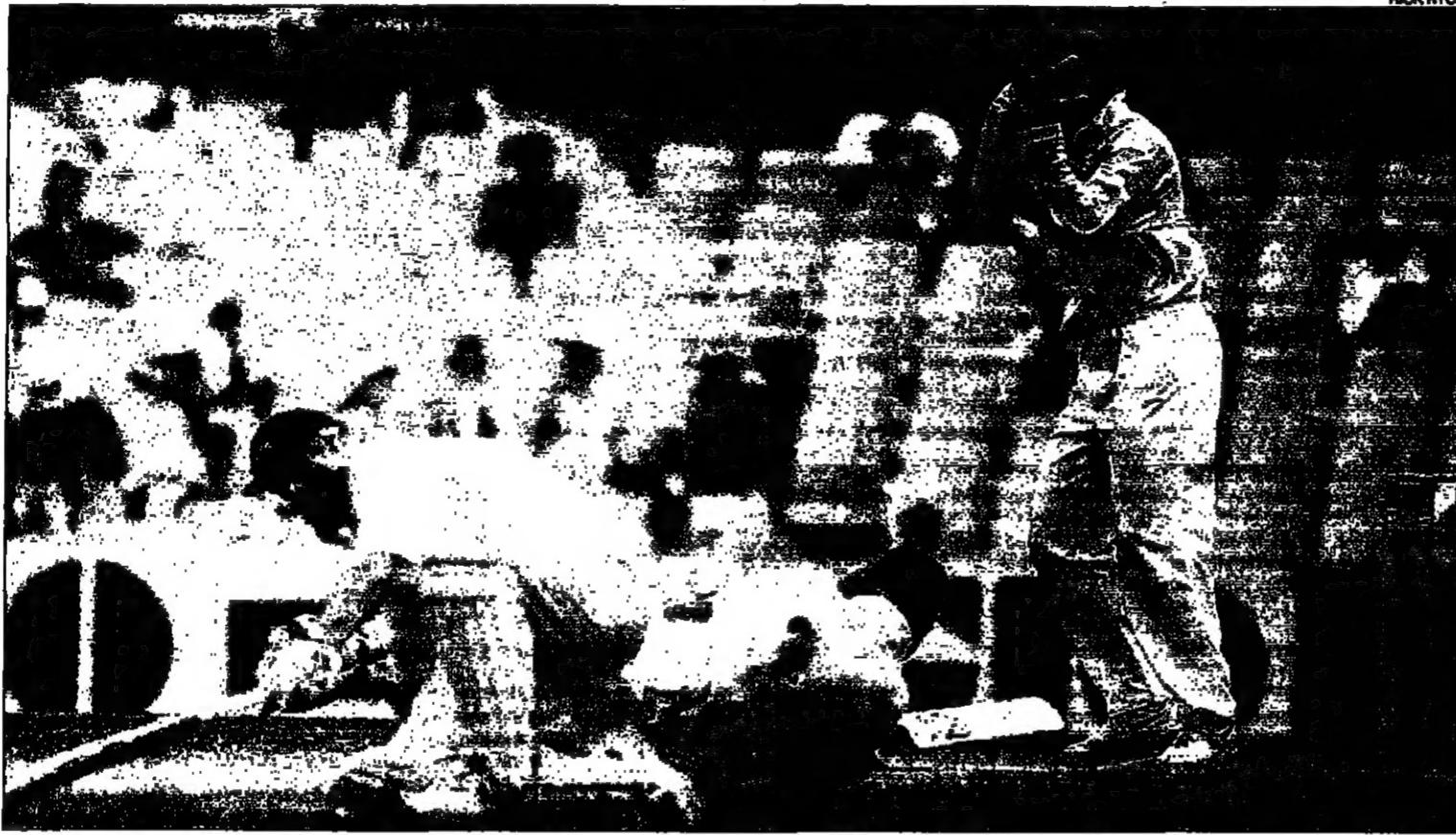
FROM ALAN LEE
CRICKET CORRESPONDENT
IN SYDNEY

SYDNEY (fourth day of five): West Indies, with all second-innings wickets in hand, need 313 runs to beat Australia

TEST cricket is a hard taskmaster, especially when played on the ugly mongrel of a Sydney day that confronted West Indies yesterday. As hot winds gusted in a sticky 90F, a searching challenge to a fielding team's purpose and professionalism, West Indies were plumb. They reacted to adversity in a manner that will have made their proud management team of Clive Lloyd and Malcolm Marshall cringe in disbelief.

Their overnight position in this fourth Test reveals little. Indeed, although Mark Taylor's declaration asked them to score 340 — 64 more than the best winning run-chase in a Sydney Test — they conceivably feel they had one chance in 250 with the Brian Lara factor that we must endlessly acknowledge.

This misses the point. Throughout this fourth day, their bowling was unambitious and their field placings as fatalistic as when Sunderland put nine men behind the ball and kicked for touch after having two players sent off at Highbury in September. There was a growing feeling that Australia would not lose a wicket all day when Matthew Elliott, 22 short of a century, collided violently with his partner, Mark Waugh, in a bizarre episode that concluded with him being carried from the ground on an improvised stretcher, the drinks buggy.



Elliott, left, and Waugh collapse after colliding while attempting a third run. Elliott made his ground, but needs surgery on his right knee

Worst of all in the litany of West Indian chaos, though, was the fielding. From first hour to last they were lamentable in a way I have never witnessed from a Test team, not even England at their comical worst on this same ground six years ago.

A side with the traditions of West Indies deserve a plea in mitigation and they will say that this resentful pitch was useless for their regulation pace attack, that their priority, already 1-0 down in the series, was damage limitation and that the outfield on the once immaculate SCG was a rutted disgrace. All have a degree of truth, but not enough, not remotely enough.

The tone for a day that went precisely to Taylor's plan, give or take 20 minutes at the end, was set 20 minutes after the start. Mark Waugh, on 15, cut at Benjamin and Courtney Browne, moving to his right, withdrew his glove from the flight so late that Lara, at slip, was left helpless. Waugh went on to make 67 and to bat almost to tea.

Every wicketkeeper drops catches, but the uncoordinated Browne has no understanding with his first slip, which is a profound problem. Mistakes, consequently, are so regular that Browne is also in no position to perform the chorus of enthusiastic regrouping that is mere routine to good bowlers.

There is a perennial fascination to the body language of the West Indians but there

were little guesswork to be done now. Three times, Benjamin misfielded embarrassingly, and the ball was not always chased after the fumble. Ambrose joined in, then Bishop, and the day was summarised when Ambrose, who rose from his dark depths only by wearing purple socks, was straight-driven by Greg Blewett for Bishop and Walsh to escort it geriatrically to the boundary.

Of course, it was unpleasantly hot. The winds blew off the balls and brought in a constant fly nuisance, but such a climate is not new to these men. Only their apparent indifference and unarguable inexperience is new.

It was hard work for the batsmen, too, though more because the surface is insultingly slow than through the merit of the bowling. Elliott and Waugh had added only 64 in 26 overs when, with their eyes on Walsh's throw from mid-wicket, they had a head-on crash seeking a third run.

Hooper, the bowler, gathered the return and could have turned to break the stumps with Waugh yards short. Instead, unfathomably, he threw to Browne, who failed to beat Elliott's desperate dive.

Blewett's second perky innings of the match set up the declaration and allowed Taylor, an enterprising experimenter, opening the bowling not with Shane Warne, but Waugh bowling off spin. It just might have worked, too.

There was a theory that the roughness of the ground would permit Australia some reverse-swing later today but their likeliest match-winner remained Warne. Failure, however, would guarantee him some ribbing — two hours after the game concludes, it is due to appear as a guest on *Blankety Blank*.

Hooper's action meant that Elliott was able to retire unbeaten, though he now faces surgery on a torn right knee cartilage.

Michael Bevan's personal uncertainty meant he was not the ideal man to come in, but the nature of the bowling was eventually therapeutic and he became the third Australian to pass 50, after Waugh's dismissal had spared Ambrose the indignity of failing to take a wicket in the game.

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ENGLAND profit from disputed dismissal

JUDGMENT in disputed dismissals (a Special Correspondent writes).

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VELETTA edged Adam Hollioake to Craig White, the Yorkshire all-rounder, standing at slip, who appeared to scoop the ball up for Warren Hegg, the wicketkeeper, to take the catch. Veletta, who batted for nearly two hours and when the umpires refused to reverse their decision, he flung his bat on the ground as he walked off — penitence that prompted the match referee to order him to appear before a disciplinary hearing after play on the final day today.

His dismissal quickly followed by Hollioake trapping Hogg leg-before, put England in a strong position to continue their victory march across Australia and the manager,

David Graveney, said: "Getting Veletta out just before the close is a crucial wicket because he's a quality player." Earlier, England had resumed on 295 for five, with Glen Chapple, the Lancashire fast bowler, giving a further demonstration of his talent with the bat. Chapple hit an

unbeaten 59 after Hollioake was caught in the deep off the first ball of the day and Hegg fell four overs later to jeopardise England's hopes of building a large first-innings lead. But with Suck, the tailender, adding 35, England were finally dismissed for 408.

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AMERICAN FOOTBALL

Denver's confidence mile-high after record sequence

SPORT

TUESDAY DECEMBER 3 1996

Keegan demands discipline

Safe European home sought by Newcastle

BY DAVID MADDOCK

ON THE flight back from France after the first leg of their UEFA Cup third-round tie, the only worry that consumed the Newcastle United players was to arrive safely back in Blighty. It appeared qualification was virtually guaranteed after a 1-1 draw, and their thoughts were, instead, fully occupied by a horrendous take-off at snowbound Metz airport.

The plane made it back to Newcastle, of course, but such a harrowing journey, buffered by howling snowstorms and gales that raged across the Continent, may have offered a clue that the second leg is not as straightforward as it seemed after that fulfilling evening in the medieval town. Newcastle enter the game

tentatively on the back of a performance against Arsenal on Saturday that Kevin Keegan, the Newcastle manager, described as the worst his side has produced this season. The alarm bells are clearly ringing at St James' Park after the perplexing 2-1 defeat and Keegan displayed more than a hint of nervousness in his voice yesterday when he addressed the contest this evening.

"I could tell from this morning's training session that the players were hurt," he said of the Arsenal game. "I imagine they drove home on Saturday knowing that the performance wasn't acceptable, either for the fans or the chairman, who has put so much money into this club. It is about pride, and

sheer respect for the game."

Keegan was quick to refute such a suggestion. Newcastle must concentrate, he said, on rebuilding confidence for the game tonight rather than dwelling too long on past results. "Tony shouldn't have been sent off, and there is no problem between us," he said.

If there was a gloom pervading the Newcastle training ground yesterday, then it must surely have been lifted a little by news from the opposition camp. Newcastle endured a physical contest in the first leg, with Ginola and Batty, in particular, receiving rough treatment. Now, it seems, the French team are worried about what awaits them.

Izaia, the Brazilian, was involved in a skirmish with Batty and he has apparently been fined £5,000 for throwing a punch at the England international. He could also be dropped, and the inference from Joel Muller, the Metz coach, was that his midfield player does not possess the stomach for a return.

"He is nervous, and there is

no room for that," Muller said. "It is a matter of temperament, and I am not sure he has enough discipline for a match like this. I cannot forgive what he did in the first leg."

Keegan is likely to give the team that was embarrassed on Saturday a chance to redeem itself this evening, despite threats of major changes immediately after the game. "I am not a manager who goes in for many changes," he said yesterday. There is one change he does demand from his players, though: that they show more discipline. "If we do that, we will go through," he said.

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England management

has "shown in hand" (to use the words of David Lloyd, the coach, yesterday) so far in advance of the Test series because it wants to allow its chosen XI the chance to play in the two four-day games before the first Test in Bulawayo. The first begins today against Mashonaland and the second,

only other seamer, apart from Iran.

Whether five England bowlers will actually be any more effective than four is a moot point. All but Gough of the five earmarked to play took part in the one-day defeat by the President's XI on Sunday and scarcely struck fear into the hearts of a modestly strong side.

To facilitate Stewart's role with minimum disruption, he will not continue to open the innings, a role that would have been subject to late change if Stewart had experienced a long day in the field. Instead, Atherton will open with Knight, a combination that has the added advantage of bringing right-hander and left-hander together.

This is far from the first time Stewart and Russell have been asked — in different ways — to pay the price for a genuine batting and bowling all-rounder. Indeed, it happened in England's last Test match, in August, when they needed to beat Pakistan and

Russell received an immediate assurance that he would tour.

Russell, who in June scored a fine defiant century against India at Lord's, said yesterday of his likely omission that he would be "telling a lie if I said that it did not hurt". But the Test series is still a fortnight away and a lot can happen in that time to change England's thinking.

"I have to try to remain optimistic," Russell said. "Anything can happen and I will certainly be making sure I am ready for every game. Although it hurts at the moment it won't deter me from fighting on."

ANTON ROGAN keeps his place in Northern Ireland's squad for the doubtful World Cup group nine qualifying match against Albania in Belfast on Saturday week. The Millwall defender received an eleventh hour call-up last month when Keith Rowland was taken ill and pulled out of the trip to Nuremberg.

The former Sunderland and Celtic player then went on against Germany as a second-half substitute for Neil Lennon to make sure Bryan Hamilton's side gained a 1-1 draw.

Rowland, of West Ham United, rejoins what is an otherwise unchanged squad as Northern Ireland wait to see if the game goes ahead.

Hamilton said: "Anton did well in Germany and he's in again on merit. It was his first appearance for four years and he gave his international career the kiss of life."

The Irish FA has been told by Fifa to carry on as normal while negotiations aimed at lifting Albania's ban from the World Cup continue.

Last week the Tirana government suspended the Albanian FA secretary and his executive committee. Albania's Sports Minister claimed the FA had flouted civil law by not holding elections for committee places. But Fifa insisted it would not tolerate political interference and called for the suspended officials to be reinstated.

The Albanians have been given until Saturday to comply, although the IFA is pressing for a decision within the next 48 hours and remains optimistic that the match will proceed as planned. Hamilton said: "I'm proceeding on the basis that the game will be played."

Against Albania Northern

Ireland are looking for their first home World Cup win after losing to Ukraine and drawing with Armenia at Windsor Park.

Nigel Worthington, of Stoke City, has to prove his fitness this week during training with his club. He could not play in Germany, because of back trouble and has not appeared in any games since.

SQUAD: W Wright (Nottingham Forest), A Maitland (Sheffield Wednesday), K Gough (Newcastle United), M Hughes, J Dowd, K Rowland (all West Ham), L Lafferty, L Lennon, C Hill (Brentford), S Lounsbury (Middlesbrough), G Taggart (Bolton Wanderers), B Hunter (Reading), Gary (Macclesfield), T Hoblock (Sheffield Wednesday), D Smith (Southend), M Morris (Aston Villa), J McAllister (Sheffield Wednesday).

Atherton considers England's unconvincing start to the tour during nets at the Harare Sports Club yesterday

Russell faces Test exclusion

FROM SIMON WILDE
IN HARARE

ENGLAND intend to leave out Jack Russell, their best wicketkeeper, for the first Test

match against Zimbabwe, which starts on December 18. Alec Stewart is again likely to

fill the dual role as batsman —

though in the less familiar

position of No 3 — and

wicketkeeper, to allow them to

play five bowlers in the search

for an attack with real bite. For

a match against the weakest

Test nation in the world, this is

an indictment indeed.

The decision is also a stern

reflection on the unpromising

start made by Ronnie Irani,

the only bowling all-rounder

in the party. He presented the

only other option to give the

side balance, but it is clearly

feet, even at this early stage of

the tour, that his bowling

lacks penetration. He may yet

find a way into the side if the

decision is taken to play four

seamers rather than the now

expected three.

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Giddins cashes in on infamy

Andrew Longmore talks to the cricketer proving all publicity is good publicity

habitual cocaine user and that

the minuscule amount, a thirtieth of a gram (street value, about £250), found in his sample hardly justified the career-threatening penalty imposed on him, initially by his county, who sacked him, then by the Test and County Cricket Board, who banned him from all first-class, representative and minor counties cricket until April 1, 1998.

Giddins furrowed his brow

at the suggestion that the promotion of a name remembered rather more for a positive drug test than for weight of wickets in the cause of Sussex, his former county, smacked of cynicism. "Do you think so?"

No matter. When 1,000 Christmas trees need shifting in 21 days, any publicity has to be good for business. Apart from drills and trials after his failed appeal, Giddins has not spoken on the record about his ban or the circumstances leading up to it.

"Let's put it this way," he said, picking his words very carefully. "I was at a party and I was [lengthy pause] not as careful as I should have been [lengthy pause]. Now can we get something in about the trees, boys?" He still maintains that his drink was spiked, that he was not an

What use is served by stopping one of our more talented

young fast bowlers from doing what he does best? (No, not selling Christmas trees.)

"If they want me to coach

cricket in the South African

townships, I'd happily do that. There's nothing con-

structive in just slapping me out of the game," he said. Except to encourage the offi-

cials to behave and discourage

lurid football-type headlines.

HIGH HUMOUR

Giddins has half a point

and a point to prove.

At least the football auth-

orities acted with some con-

sistency. Cricket has shown itself

to be divided and hypocritical.

A letter from Alan Caffyn,

the chairman of Sussex, to mem-

bers yesterday claimed that as Giddins protested his innocence, it was "too pos-

sible to provide any help". Yet

counties with hearts full of

forgiveness and eyes full of a

bargain fell over themselves

to offer him a job. The "foolish

young man", as Warwickshire

patronisingly termed their new signing, could take a

handful of wickets in time when

he is allowed to return at the

age of 27. Giddins has pro-

mised as much anyway.

In the meantime, there is

business to be done. Norwegian spruce, £2.50 a foot; Noordmans Fir (iron-needle drops), £5.00 a foot. Did you know you can plant 3,000

trees per acre? It takes ten

years for a tree to grow and

costs about £1 to plant... The

shop, Trees in Sheep, opens

tomorrow at 226 Upper Rich-

mond Road West, next door to</p